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4 February 1982

Worldwide Report

LAW OF THE SEA

No. 184

FBIS FOREIGN BROADCAST INFORMATION SERVICE

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ROK, JAPAN DISCUSS CONTINENTAL SHELF EXPLORATION

SK190329 Seoul YONHAP in English 0316 GMT 19 Jan 82

[Text] Seoul, Jan. 19 (YONHAP) -- Korea and Japan held the fourth annual meeting of the Joint Continental Shelf Development Council in Seoul Tuesday to discuss the smooth implementation of the 1974 bilateral agreement on the joint development of the continental shelf lying between them.

Government sources said that major items in the agenda of the two-day session included the successful implementation of bilateral continental shelf development projects, the prevention of sea contamination and maritime accidents in development areas and the establishment of communications channels between the two countries via development areas.

The Korean delegation will request that joint development projects be implemented throughout the year, irrespective of fishing seasons, and that the number of sub-mining zones along the joint development areas be reduced, from the current nine, to three or four.

The two countries earlier reached a tentative agreement to suspend fishing operations in the fifth and seventh mining zones during fishing seasons from January through April.

Discussions will also center on the establishment of a standing consultative body, in connection with jurisdiction over possible crimes in the joint development areas, the sources said.

The 30-man Korean delegation is led jointly by Chang Man-sun, deputy director general of the Foreign Ministry's Bureau of International Organizations and Treaty Affairs, and Yun Su-kil, oil coordinator of the Energy-Resources Ministry; while the 23-member Japanese delegation is headed by Hiroaki Fujii, councillor at the Japanese Foreign Ministry's Asian Bureau, and Takashi Nonouchi, director of the Oil Bureau of the Resources-Energy Ministry.

CSO: 5200/2033

BRIEFS

FOREIGN VESSELS' INTRUSIONS--New Delhi, Dec. 24, (PTI & UNI)--The question of intrusion of foreign boats into Indian territorial waters was taken up with the Burmese and Thai governments through diplomatic channels, the minister of state for defence, Mr. Shivraj V. Patil, told Mr. A. Chakraborty in a written reply in the Rajya Sabha today. The Burmese authorities explained that their boat entered into the Indian waters inadvertently, while chasing some boats engaged in smuggling. The Thai embassy invoked the good Indo-Thai relations and requested that the Thai boats be treated with leniency. This issue had also been raised with the Sri Lanka government. It had been agreed that all vessels poaching in territorial waters of either country would be dealt with according to the laws of the respective country, he said. [Bombay THE TIMES OF INDIA in English 25 Dec 81 p 23]

CSO: 5200/7019

NEW ZEALAND

ORANGE ROUGHY ALLOTMENT FAVORS DOMESTIC FISHING FLEET

One-Third Catch Reserved

Wellington THE EVENING POST in English 15 Dec 81 p 4

[Text] The New Zealand domestic fishing fleet will have sole access to about one-third of the orange roughy catch in the 1982-83 season under a new management regime announced today by the Minister of Fisheries, Mr MacIntyre.

The regime would be introduced on April 1, 1982, Mr MacIntyre said.

"The Government has also given approval for Fletcher Fishing Ltd to import two deepwater trawlers to add to the small New Zealand fleet already fishing for orange roughy. Fletchers will have to pay full import duty on the trawlers.

"Under the new orange roughy management regime, joint venture and domestic trawlers will fish competitively for up to two-thirds of the total allowable catch. Once this point is reached, the remaining one-third will be reserved solely for the New Zealand domestic fleet."

The total allowable catch for the present season is 25,000 tonnes, Mr MacIntyre said. The 1982-83 allowable catch will be set early next year, when research into sustainable yields is completed.

Fletchers have given assurances that their vessels would be crewed as far as possible by New Zealanders, the minister said.

"They have also undertaken to establish training programmes for officers and crew, designed to ensure full New Zealand crewing as soon as possible.

"The maximum practical processing will be carried out on shore, and Fletchers have said they are prepared to offer up to half the processable catch for contract processing at existing fish-packaging houses other than those owned by themselves."

Government policy was to give the New Zealand domestic fleet priority over joint ventures and the foreign licensed fleet in fishing New Zealand's exclusive economic zone, Mr MacIntyre said.

"However, this policy doesn't imply that the domestic industry has priority at any cost.

"The economic viability and competitiveness of the domestic industry must be taken into account, and the policy will be reviewed if it becomes apparent that the domestic industry cannot fish competitively without significant government assistance."

The number of vessels allowed access to the deepwater fishery would also be kept under review to ensure that the fishery was not over-exploited and that those allowed access remained reasonably competitive, the minister said.

Fishing Board Wants More

Wellington THE EVENING POST in English 16 Dec 81 p 24

[Text] The Fishing Industry Board welcomed government moves to give domestic fishermen one-third of the orange roughy catch next season but said it wanted more.

The allowable catch will not be set until early next year when research into sustainable yields is finished.

But the present season's total allowable catch for both domestic and joint venture boats is 25,000 tonnes and the board said in a statement today that 10 vessels could take 10,000 tonnes a year.

"The board believes that there will need to be a further allocation of orange roughy for the domestic fleet for the 1982-83 season because of the increasing ability of the existing New Zealand large vessel fleet to more effectively fish the deeper water resources," the statement said.

Also, the board said that the allocation under a new management regime announced by the Minister of Fisheries, Mr MacIntyre, overlooked a critical consideration.

Access to the higher-valued deepwater fish was the key to profitability of individual operations and therefore the eventual size of the domestic deep-water fleet.

"Because of this a more suitable management regime should have been introduced to coincide with this domestic expansion."

CSO: 5200/9075

COASTAL ATLAS ISSUED IN EVENT OF MAJOR OIL SPILL

Wellington THE EVENING POST in English 11 Dec 81 p 16

[Text] The editor of the New Zealand Atlas of Coastal Resources, Dr Philip Fortell, hopes the book will never be used for the purpose that it was originally intended.

The purpose was to provide a readily-available source of information on New Zealand's coastal resources in the event of a major oil slick threatening to engulf part of the coastline. Dr Tortell, of the Commission for the Environment, saw his atlas launched last night by the Minister for the Environment, Dr Ian Shearer.

When it was decided four years ago to compile the atlas, said Dr Tortell, the working party responsible, of which he was a member, hoped there would never be a major oil spillage requiring the use of the information.

If there was, the collected data would be used to decide how great a threat the spillage was and what measures should be taken to combat it.

But once the information had been gathered, said Dr Tortell, the working party realised what tremendous use it would be to people involved in areas other than their own.

And it seemed a shame, he said, to just lock the information away for use only in case of a spill.

A decision was therefore made to publish the information in atlas form, he said.

That was 2½ years ago, and the finished product, in Dr Tortell's view, is of value to students and teachers, planners of coastal resources and those who enjoy the coastline's recreational opportunities.

Its 16 full-page maps — the atlas is 60cm by 42cm — and accompanying legend indicate, among other things, the type of coastline and its sensitivity to oil pollution, major ports and tonnages, location and value of activities such as mining, recreational uses, commercial fishing and bird and marine mammal colonies.

Some of the atlas' contents have already been published in one form or another and needed only to be brought together, said Dr Tortell.

Much of it was new, though, he said, including the comprehensive survey and classification of the sensitivity of the coastline to oil spillage.

Sensitivity refers to the ability of a section of coastline to recover from an oil spillage without human intervention.

Baring Head, for example, said Dr Tortell, was cleaned of the oil that came ashore from the wrecked Pacific Charger by wave action. Little human intervention was necessary.

If there was to be an oil spillage in Pauatahanui Inlet, an example of the most sensitive type of coastline, the oil would never go away unless it was taken away, he said.

Doing this would also involve the removal of the inlet's productive layer of sand and mud.

Visually this would be an improvement, he said, but ecologically it would destroy the inlet just as effectively as would leaving the oil there.

"There would be very little (ecological) advantage in removing the oil at all," said Dr Tortell.

CSO: 5200/9075

BRIEFS

TARANAKI DRILLING PROGRAM ENDS--The Petrocorp, Shell BP and Todd exploration consortium has finished drilling its offshore Wainui One well off Taranaki, and thinks it is probably dry. Shell Oil Services general manager, Mr Graeme Brown, says the well has reached 3893 metres. It would be logged and if this confirmed that no substantial hydrocarbons had been encountered, the well would be abandoned as a dry hole, he said. "This brings to an end the current three-well drilling programme costing $53 million. Following the completion of the abandonment procedures at Wainui One, the drill ship Sedco 4452 will sail out of New Zealand waters," Mr Brown said. [Text] [Wellington THE EVENING POST in English 11 Dec 81 p 16]

CSO: 5200/9075

AUTHORIZATION RECEIVED FROM U.S. TO FISH CHAGOS WATERS

Port Louis LE MAURICIEN in French 9 Sep 81 pp 1,4

> /Text/ I. Seetaram, minister of fisheries: "The Americans have given the authorisation. So Mauritius has retained some economic rights over the archipelago." But the 1976 Anglo-American treaty does not recognize these rights.

According to the Mauritian minister of fisheries, Iswardeo Seetaram, the United States has authorised Mauritian fishing boats to fish the reportedly heavily stocked fishing banks in the Chagos archipelago, where the island of Diego Garcia is located.

In a statement made this morning to LE MAURICIEN, which was asking him about the arrival of the "Pearl III" on Monday, with a catch of 150 tons of fish, from the Chagos banks, Mr Seetaram revealed that the shipowners had informed him in advance of their intention to fish in the archipelago, and that the very next morning he had obtained the assurance of the ambassador of the United States, during a meeting, that the Mauritian vessels could fish in the Chagos area. But, according to Mr Seetaram, the Americans are granting this right to Mauritian ships only. The minister specified, however, that his ministry must be informed in advance by Mauritian companies intending to send their ships into the Chagos.

According to Mr Seetaram, the American authorisation confirms that Mauritius has kept some rights to economic exploitation of the Chagos archipelago, ceded to Great Britain in 1965 by Dr Ramgoolam's Mauritian government and leased later by Great Britain to the United States, which had a naval air base built there after removing the whole population of the archipelago.

The Anglo-American agreement signed on 25 February 1976 stipulates, however, that the archipelago is British property and article 13 reads as follows:

"Fisheries, oil and mineral resources

The Government of the United Kingdom will not permit commercial fishing in the lagoon or oil or mineral exploration on Diego Garcia for the duration of this

Agreement. Furthermore, the Government of the United Kingdom will not permit commercial fishing or oil or mineral exploration or exploitation in or under those areas of the waters, continental shelf and sea bed around Diego Garcia over which the United Kingdom has sovereignty or exercises sovereign rights, unless it is agreed that such activities would not harm or be inimical to the defence use of the island."

It would therefore seem, that while Mr Seetaram assures us this morning that the Americans recognize the the archipelago waters "belong to exclusively Mauritian economic zones," which induces them, according to the minister, to autorise fishing there by Mauritian ships, in reality Mauritius benefits from the part of article 13 of the Anglo-American agreement which hints that economic exploitation of the archipelago and its environs could be authorized on condition that "such activities would not harm or be inimical to the defence use of the island." Mr Seetaram could perhaps be mistaken about the American attitude, which is far from being a recognition of Mauritian economic rights implying economic property rights, such recognition of necessity being contradictory to the Ango-American agreement.

It is a fact, nevertheless, that the authorisation granted, according to Mr Seetaram, to Mauritian fishing vessels to work the heavily populated fishing banks of the Chagos constitutes, if the minister has correctly interpreted the American ambassador's remarks on the subject, and important evolution in that, as Mr Seetaram himself says, no Mauritian vessel has fished in the area of the Chagos since the installation of the American base in the archipelago. The Mauritian fishing industry could, if the banks are as heavily populated with fish as reported, receive very large benefits from it.

But an important question remains to be answered: if oilfields or large deposits of polymetallic nodules are discovered in the archipelago area, could Mauritius, with appropriate technological assistance, send in its own ships to exploit this wealth?

We note, incidentally, that Mauritius included the Chagos in fishing legislation, and that the government has officially claimed property rights over the archipelago, while permitting the Mauritian private sector to take part in the construction of the naval air base and send in Mauritian materials and manpower, as forced by the economic crisis.

12149
CSO: 5200/5615

DETAILS OF UNDP-FINANCED MID-SEA FISHING PROJECT REPORTED

Port Louis LE MAURICIEN in French 4 Sep 81 pp 1, 4

[Excerpts] Mid-sea fishing, an area in which Mauritius is currently attempting a breakthrough to get the industry going again, will see an important development at the beginning of next month with the launching of five fiberglass boats, the construction of which has been financed by the UNDP (United Nations Development Program) and the French Committee of the World Campaign Against Hunger. The latter organization, which has already donated one vessel, the "Charles Fourier," operating outside the Riviere Noire lagoon, is to finance the construction of a second vessel, to be known as the "Charles Fourier II."

According to reports received at the Ministry of Fisheries, mid-sea fishing is expected to be a real advantage to the country.

It is the performance achieved by the "Charles Fourier (I)," the first fiberglass boat launched by the Mauritius Fishermen Cooperative Federation, that encouraged the government to try its luck at fishing outside the lagoons.

The "Charles Fourier I," run by a small team of four experienced Riviere Noire fishermen, brought in, between 16 October last year and last 31 July, about 5 tons of fish, including 396 sharks, some emperor-fish, and some albacore. This catch, amounting to 10 percent of the total catch brought in in the southwestern area of the island, does not include the traditional "carri" [personal perquisites] set aside by the fisherman after each day's work.

The performance of the "Charles Fourier I" is felt to be valid considering that the vessel, which encountered some problems, went out only 134 times (or 2 months' activity) for an actual schedule of 279 days.

These figures, according to a report submitted to the Ministry of Fisheries and the Ministry of Planning and Economic Development, prove one fact: if entrusted to professional, courageous line fishermen, vessels of the same type as the "Charles Fourier" can bring a substantial quantity of fish and other seafood into the local market, and thus help to reduce imports, which, it should be remembered, will be around 18,000 tons by 1985. It is estimated that consumption will then be 18 kilograms per inhabitant for 1 million inhabitants (Ferlin and Ledoux report).

The report maintains that the government must forge ahead with large-scale construction of vessels for taking the deep-water fish that are found in adequate numbers around our shores.

12149
CSO: 5200/5616

NEW EQUIPMENT FOR MID-SEA FISHERMEN'S COOPERATIVE DESCRIBED

Port Louis LE MAURICIEN in French 7 Oct 81 pp 5, 7

[Article by J.A.: "Mid-Sea Fishermen's Cooperative"]

[Excerpts] Many young fishermen will have a new way of going mid-sea fishing soon. At least, that is the development with which cooperative fishermen specializing in this branch of the trade will be associated from now on. Indeed, there is going to be an official launching in Grand-Baie of the four motorized units donated to the cooperatives by the United Nations Development Plan (UNDP). We were recently privileged to be present during the last phases of assembling these vessels at the shipyards of Unienville and Sons Enterprises, Limited, in Mapou. During our visit, a few fishermen were also there, having come to become acquainted with these new means of production.

It is to be noted that the boats ordered by the UNDP have no cabins, but have very spacious holds, storage capacity being up to 2 tons. They are 27 feet long, 8.8 feet wide, and draw 2.6 feet of water. Bamboo is used for masts. The tiller is made of wood. The sails are ready. It was these last components that were being installed during our visit. It has probably already been guessed that a central engine is installed in each boat. It is a 32 horsepower Yamaha. The four vessels, allowing for devaluation, cost nearly 70,000 dollars.

Each of them will be under the command of a master, who will be able to make up a crew of seven or eight persons. Those who will be called upon to use them recently received instruction in that regard during a brief course at Cooperation House, Port Louis. Then they went to the shipyards, where explanations were given about the engine, etc.

The naval shipyards of Unienville and Sons Enterprises, Limited (fiberglass specialists, industrial and yacht builders) has been using fiberglass for 6 years. The company, which previously used wood, was founded in 1973. The number of present employees, which includes a large number of very young persons, is 50. This manpower makes up an assembly line, in which some workers are assigned to molding. The operation consists, in essence, of assembling a mold into which fiberglass is fitted, the pattern being adaptable for various models of the same size. The company has the capability of building boats for various uses in various lengths: 15, 21, 27, 31, 34, 36, or 42 meters.

A fact that was difficult to accept, noted during this visit to the shipyards, which looks like a small assembly-line plant: there is no electricity. At least, not the electricity sold by the organization that has the monopoly. Several tens of thousands of rupees would be charged by the CEB [Central Electricity Board] to include such enterprises among its customers.

Here is another indication that Mauritian industrial development is not being accomplished amid superstructure harmony. We know, for example, that many places of work are not equipped with telephones, that hardly any plumbing has been installed.... There is a lot to be done here, if only to create jobs.

Let us hope that obstacles of this nature will not come up in connection with the new cooperative fishermen's enterprise.

12149
CSO: 5200/5616

LAUNCHING OF FOUR NEW FISHING BOATS REPORTED

Port Louis LE MAURICIEN in French 13 Oct 81 pp 1, 4

[Excerpts] A new step toward financial independence in the fishing community was made yesterday with the launching of four fishing vessels, the "Baron," the "Edwin Beday," the "James Ornell" and the "Robert Owen," during a ceremony that took place at Grand-Baie in the presence of the governor general, Sir Dayendranath Burrenchobay, and Lady Burrenchobay, the acting prime minister, Sir Satcam Boolell, the minister of fisheries, I. Seetaram, and members of the diplomatic corps. The commissioning of these four boats opens, as of this morning, new prospects for this community, long dependent upon "banyans" [foreign financiers], and which is now proving, through cooperative societies, to be an important element in Mauritian economy.

The ceremony was marked by speeches by the acting prime minister, Sir Satcam Boolell, Minister Seetaram, the president of the Fishermen's Federation, E. Lagane, and J. P. Schellenberg, representative of the UNDP, who stressed that the funds used to finance the building of these vessels came from the FAO, under the Technical Cooperation Program.

Cooperatives Best Prospect

After the passage of cyclone "Claudette," Mr Schellenberg specified, the FAO, upon the intervention of its director general, E. Saouma, had made available to Mauritius the sum of 170,000 dollars, of which only 100,000 dollars were used. The remaining money was later used for the construction of these four fiberglass vessels.

Stressing the importance of fish as a food, and of fishing as an industry, Sir Saccam pointed out that by regrouping in cooperative societies the fishermen have better prospects for the future and can have the benefit of assistance from several institutions.

The launching of these four boats, he said, will enable the fisherman to take up mid-sea fishing, and thus will close a gap in the equipment area. Other future projects will depend upon the success of this project, Sir Satcam stated, adding that Mauritius possesses the necessary talent to make the fishing industry a prosperous enterprise.

Mr Seetaram gave a brief overview of the aid received by the fishermen through the cooperative movement, particularly the fishermen's hostels, as well as the facilities needed to equip the societies so that they will become economically independent.

After construction of the fishermen's [hostel] in Tamarin, a second hostel will be constructed at Cape Malheureux, he indicated. This hostel will provide certain facilities for the fishermen, in particular for the repair of their engines, fishing equipment sales, and also fish storage.

12149
CSO: 5200/5616

FRENCH FISHERMEN BLOCKADE DANES IN NORWEGIAN WATERS

Copenhagen BERLINGSKE TIDENDE in Danish 4 Jan 82 p 6

[Article by Ib Christensen]

[Text] Danish fishermen have been forbidden access to the Norwegian section of the North Sea where, traditionally, large-scale fishing is taking place at this time of the year. France has, surprisingly, refused to acknowledge the mutual fisheries agreement with Norway, which was finalized in the European Commission. It was to have taken effect on 1 January.

Several Danish fishing vessels had already left and were in Norwegian fishing waters when they were asked by their respective fishermen's associations at home not to start fishing. The ban on fishing has affected several fishing harbors in West Jutland severely. In Thyboren alone, 70-80 fishing vessels have been affected by the ban.

Wants Agreement with the Faroes

France has blocked approval of the agreement which would give Danish fishermen access to the Norwegian zone, for the reason that they want the EC, at the same time, to approve a fisheries agreement with the Faroes, where France has considerable fishing interests. The background to the demand is, according to observers, quite clearly a fear that Great Britain--if the Norwegian agreement were to be approved first--would oppose an agreement with the Faroes.

Nearly 500 Danish Fishing Vessels Affected

Normally, 420 Danish fishing vessels carry on industrial fishing for blue whiting and sperling* in this area. In Thyboren alone, 70-80 fishing vessels have been affected by the blockade. To this must be added a considerable number of fishing vessels which catch fish for consumption, mainly cod.

The agreement had actually been finalized and had been sent to the members of the Council of Ministers for polling when France backed out. Especially Denmark and Great Britian, but also the Netherlands, now put strong pressure on France to have the blockade lifted, which the Ministry of Fisheries and the fishing industry in this country refer to as 'pure tactics.'

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* No translation has been found. However, it is a fish that belongs to the herring family and is used for the production of fishmeal and oil; translator.

The Ministry of Fisheries and the fishing industry both state, at the same time, that they expect a solution to be found to the problem in the near future.

Nobody dare today estimate the loss which the fishing industry would otherwise suffer. It depends, to a great extent, on the weather conditions and the seasonal swings in the individual fish stocks. But it may become a question of many millions of kroner.

The Danish Fishery Industry and Fish Export Association intends to lodge a complaint with the Minister of Fisheries, Karl Hjortnæs, against the present wording of the agreement with Norway. For the agreement does not include mackerel quotas, which will affect some fishing industries in North Jutland adversely. The fishing industry, therefore, intends to ask Hjortnæs for mackerel quotas elsewhere.

Five years ago, Denmark accounted for 95 percent of the industrial processing of mackerel within the EC. Under the new agreement, the mackerel quota is down at a zero level. Director Poul Tørring of the Danish Fishery Industry and Fish Export Association tells BERLINGSKE TIDENDE that the industry has the capacity to process 80,000-90,000 tons, and that the mackerel processing plants find it extremely difficult maintaining their employment levels.

Poul Tørring finds it incomprehensible that the EC, at the same time, connives at the large-scale sale by Scottish and British fishermen of mackerel to Russian factory vessels, whereby the said fishermen circumvent the fishing and quota regulations. A practice which, according to the Danish fishing industry, moreover, invites tax evasion.

The failure of supplies will affect industries in Sæby, Aalborg, Skagen and Frederikshavn and may have disastrous effect to the 8-9 giant Danish seine boats which have been specially built, among other things, for this kind of fishing, the fishing industry states.

7262
CSO: 5200/2028

SALMON-HATCHING PROJECT TO BOLSTER QUOTA SHARE CLAIM

Copenhagen LAND OG FOLK in Danish 7 Jan 82 p 10

[Text] Fifteen large salmon swimming around in a primitive tank at the waterworks in Nuuk (Godthab) could provide an important argument for the Greenland home rule administration in connection with the negotiations on a bigger salmon quota.

The salmon finished spawning Tuesday and if all goes well they will produce 10,000 offspring in the next 3 to 4 months. When the young fish attain a weight of 50 grams, about a year and a half after that, they will be released in the streams of Greenland.

Greenland could then claim that it is a salmon-producing country, thus taking the wind out of the eternal argument of the fishery organisation ICNAF [expansion unknown] against raising the Greenland salmon quota: namely that Greenland only wants to catch salmon but won't do anything to preserve or increase the salmon population.

"We have been fighting for almost 10 years now to increase our salmon quota," said the government member on business affairs, Lars Emil Johansen, who is conducting quota negotiations on behalf of Greenland. "It was not until 1981 that we managed to put through an increase from 1191 tons to 1270 tons annually by postponing the fishing season so the salmon could grow bigger before they are caught."

The salmon population gains 25,000 tons in weight off the coasts of Greenland and eats 150,000 tons of food to achieve the weight gain.

About 20 percent of the food is shrimp. This means the salmon eat more shrimp than Greenland's fishermen are allowed to catch.

"So in a way the salmon are an expensive story for us," said Lars Emil Johansen who has often said in quota negotiations that Greenland as a salmon "restaurant" ought to be rewarded by being permitted to catch more of the desirable fish.

"With this project we hope to show the rest of the world that we have both the desire and the ability to do something for the salmon population despite the difficult climatic conditions here," continued the government member.

The hatching trial is being led by fishery biologist Jens Keutzmann with the assistance of Niels Kold Olsen. An application was made to the Nordic Council of Ministers which approved 625,000 kroner in February 1981 for the project that is scheduled to last 3 years.

6578
CSO: 5200/2020

BRIEFS

SHIPS' DEPARTURE REPORTEDLY FORBIDDEN--A Persian Government official is forbidding the departure of three Greek ships and 75 sailors, most of them Greek, in a personal vendetta move, through no fault of either the ships or the sailors. The ships detained in the Persian port of Bandar Abbas since last October are the 10,600-ton "Maidy Breeze" [phonetic spelling] and the 12,500-ton "May Star" belonging to the G. Dousopoulos firm and the 5,000-ton "Katerina" belonging to N. Evangelatos. All three ships offloaded their cargo last October without incident and were awaiting permission to depart. Meanwhile, the foreign-owned ship "Moira" was hit by an Iraqi rocket and sank. A Persian pilot who had been on the ship at the time of the attack survived but lost his sight. His brother, a Bandar Abbas port official decided to detain the ships, asking for $350,000 in damages for his brother, simply because the "Moira" happened to be using the same shipping agency as the Greek ships. Every day's delay is costing each ship $10,000 and the shipowners are planning to ask the Persian Government for $700,000 in damages. [Excerpt] [Athens AKROPOLIS in Greek 13 Jan 82 p 2]

CSO: 5200/5302

NETHERLANDS

BRIEFS

INTERIM FISH QUOTAS--The Hague, December 30--The government today published interim quotas of sea fish Dutch fishermen are allowed to catch next year. The ministry of agriculture and fisheries said that on the whole the quotas were similar to this year's. A ministry spokesman said the fish caught under the interim arrangement is to be deducted from the quotas to be fixed in due course by the EEC's ministerial council. He said the arrangement would apply for as long as the EEC had not finalised its 1982 fishery policy but until March 31, 1982, at the latest. Under the arrangement the 1982 herring catch from the southern part of the North Sea and the eastern part of the British Channel is put at 9,000 tonnes and from fishing grounds west of Scotland at 3,000 tonnes. The herring fishing season will open at a time still to be fixed by Farm and Fisheries Minister Jan de Koning. The sole North Sea quota is raised by 6.25% to 11,730 tonnes and the plaice quota reduced by 4.9% to 36.950 tonnes. [Text] [The Hague ANP NEWS BULLETIN in English 31 Dec 81 p 2]

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END

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9 April 1982

WORLDWIDE REPORT

LAW OF THE SEA

No. 192

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GROUP OF 77 REJECTS U.S. SEA LAW AMENDMENTS

OW171254 Beijing XINHUA in English 17 Mar 82

[Text] United Nations, March 16 (XINHUA) -- The United States' amendments to the draft sea-law convention would call into question the ownership of sea-bed resources by all mankind. A leading official of the "Group of 77" developing nations said here today.

Alvaro de Soto (Peru), chairman of the "Group of 77" at the Third United Nations Conference on the Law of the Sea, told a news conference that the U.S. amendments were aimed at allowing freedom of exploitation forever. The "Group of 77" could not countenance such a provision, as it would undermine the General Assembly's 1970 declaration of principles governing the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction.

The United States was seeking to reduce the international sea-bed authority to a mere regulatory or licensing agency which would have no control over activities carried out by states or operators sponsored by states, he said.

Another aim of the U.S. amendments was to delete a provision in the draft that makes the assembly the policy-making organ of the sea-bed authority. Under the U.S. amendments, he went on, provisions for the mandatory transfer of technology by industrialized countries to the authority and developing countries would simply be deleted.

De Soto declared that the "Group of 77" would not accept to negotiate on the basis of the proposals as contained in the U.S. amendments. He reaffirmed the group's decision that a convention on the law of the sea should be concluded in April 1982 and ready for signature in September.

CSO: 5200/2059

SOVIET DELEGATE REJECTS U.S. DEMANDS

LD181402 Moscow TASS in English 18 Mar 82

[Text] New York, 18 Mar, TASS -- The socialist states have supported the position of the developing countries who opposed United States attempts at wrecking the adoption of the international convention on the law of the sea.

At the United Nations Law of the Sea Conference, taking place here, the United States asked for a radical revision of the draft convention, which had been worked out in some eight years and which Washington had endorsed at one time. The United States is pressing for free access to mineral resources of the sea bottom in international regions to its monopolies. The "Group of 77", representing over 120 developing countries, emphatically rejected United States demands. Its representatives said that the American amendments were unacceptable and could not serve as a topic for discussion.

Speaking on behalf of the group of East European socialist states, Semen Kozyrev, deputy foreign minister of the USSR, expressed support for the decision of the developing countries to reject the American demands.

An analysis of the United States proposals clearly shows, he said, that they are aimed at infringing the interests of other countries, at gaining unilateral advantages for the United States and a narrow group of its allies. Thus, the American proposals on the rules of adopting decisions in the international leading body for resources of the sea bottom give full control to the United States and some of its allies over the solution of major questions. Meanwhile, all other countries are utterly deprived of exerting any influence in this field.

Only one conclusion can be drawn, the head of the Soviet delegation said: The American "green book" of amendments is aimed against reaching understandings on all questions of the sea bottom regimen and does not contain elements of compromise.

Its purpose is obvious: To deadlock the conference and, possibly, to wreck it, paving the way to unilateral actions in the international region of the sea bottom. That is why it cannot be a topic of talks. We fully subscribe to the opinion of the "Group of 77". We also agree with the opinion of the "Group of 77" that the conference should concentrate attention on outstanding questions and adopt a convention on the basis of the existing draft by April 30th. If necessary this should be done through voting, even if the United States and some other countries are not ready for this.

CSO: 5200/2059

NORWEGIAN, USSR MINISTERS CITED ON FISHING TALKS

PM251617 Oslo AFTENPOSTEN in Norwegian 13 Mar 82 p 8

[Report by Ola Hesstvedt: "Soviet Union Willing to Agree to Total Ban on Cod Fishing"]

[Text] Svolvaer, 12 Mar--"Energetic steps are necessary to preserve cod stocks, steps which in our opinion must cover all types of catch, and not just trawlers. The Soviet Union is willing to agree to a total ban on cod fishing in the Barents Sea until the cod stocks are replenished," Soviet Fisheries Minister Vladimir Kamentsev said at a press conference in Svolvaer. Norwegian Fisheries Minister Thor Listau expressed his disagreement at this. "A total stop would devastate our coast," he said, making a plea for the implementation of a number of less drastic restrictions.

The press conference at the end of Kamentsev's 5-day official visit to Norway was dominated by two questions--an increase in trawl net mesh size and the growing numbers of Greenland seals in Oestisen [apparent place name; location unknown]. The Soviet fisheries minister stressed that a larger mesh size would create great difficulties for Russian fishermen in Murmansk and Arkhangelsk.

"I am concerned that cod of breeding age is fished so heavily. Norway has twice increased its quotas in the course of a short period," Kamentsev said, expressing the view that too much attention is being paid to the size of mesh in trawler nets only. He took the view that measures to save cod fishing must cover all fishing tackle and stressed that the Soviet Union has gradually enlarged its mesh size, most recently last year.

"I have informed Kamentsev that Norway could unilaterally enlarge mesh size from 125 to 135 mm, and that this could happen soon," Fisheries Minister Thor Listau said. He added that such a measure would only be possible once the government had discussed the matter and that the new mesh size should perhaps apply throughout the whole area for cod fishing, including Russian waters and the Spitzbergen zone. "I am aware of the disagreement between Norway and the Soviet Union on this point," he added.

There is also disagreement about the killing of seals on the Russian side--seals which have invaded eastern Finmark. Norway wants more seals to be shot so that more fish can be caught, and views with concern hints that the Soviet Union wants a further buildup in the number of seals.

The background to this question is the Norwegian demand to the Norwegian-Soviet seal catch commission to increase the seal quota from 60,000 animals in 1981 to 120,000 in 1982, a demand rejected by the Soviet Union.

The Soviet Union would not go further than 75,000 animals. Kamentsev pointed out that in the years after the war the annual seal catch in Oestisen was in excess of 100,000 seals. This led to such a drastic reduction in seal numbers that the Soviet Union introduced a ban on seal slaughter.

"Seal hunting in this area has centuries-old traditions and is very important in itself. The seal is also an important link in the ecological chain in the sea. Some researchers take the view that the seals actually take very little fish," the Soviet fisheries minister said. Kamentsev and Listau have agreed that the two countries' experts will meet in May to discuss the disagreements on seal numbers in Oestisen.

"Our researchers take the view that the seals eat 1.5 million tons of fish annually. We do not know exactly what they eat most of, but we definitely think they are greedy," Listau said. "Norway would like to establish exactly what the seal's diet is and is therefore now planning to carry out its own research project in this field."

Both fisheries ministers stressed that there have not been any negotiations during the present visit, merely talks. Both countries are agreed that there must be negotiations on further measures which could help build up cod stocks again.

Kamentsev is now ending his visit to Norway and has invited his Norwegian counterpart for a return visit to the Soviet Union at a time which best suits Listau. The Norwegian fisheries minister has accepted the invitation and told AFTENPOSTEN that he expects that the visit could take place early in the fall, and that he is especially interested in visiting the Murmansk district.

CSO: 5200/2061

SOVIETS DETAIN, FINE SWEDISH FISHING BOAT IN BALTIC

Stockholm DAGENS NYHETER in Swedish 6 Mar 82 p 5

/Article by Ingemar Lofgren: "First Swedish Violation"/

/Text/ "It is clumsy to end up in the Russian fishing zone. Especially if the weather is good and if you navigate correctly." These are the words of Ingemar Sorensen at the National Board of Fisheries in describing the "Veno's" violation of Soviet fishing waters.

The Board of Fisheries has long tried to advise the fishermen on how to navigate in the Baltic Sea in order to avoid similar incidents.

"Swedish fishermen are generally afraid to enter the Russian fishing zone. This is why we have indicated with a broad margin on the nautical chart how they should navigate in order not to end up there," says Ingemar Sorensen, head of a department at the National Board of Fisheries in Gothenburg.

"As far as I know this is the first time Swedish fishermen have been caught in Russian waters," Sorensen says but stresses that he still does not know the reason for "Veno's" violation last Saturday.

Fishing in the Baltic is surrounded by a number of regulations and restrictions. Ingemar Sorensen at the Board of Fisheries is one of those who decide what these should look like and how they should be enforced. This takes place in September each year in negotiations with the other Baltic nations of Finland, the Soviet Union, Poland, the GDR and the two EC nations of the FRG and Denmark.

These negotiations always take place in Warsaw.

Based on studies and recommendations by the International Council for the Exploration of the Sea, ICES, it is determined how large the total annual catch in the Baltic may be and how much each nation may land for itself.

But these allocated quotas are not always sufficient. That is why the various nations also negotiate with each other about trading the fishing rights.

Licenses

According to the most recent decision from last fall, Soviet fishermen may, for example, land 9,000 tons of herring plus other fish caught at the same time in the Swedish fishing zone during 1982. In order to land this catch they received permission from Sweden to enter with 34 fishing boats and 10 mother ships.

In exchange the Swedish fishermen are permitted to catch 1,200 tons of cod and 105 tons of salmon in the Soviet fishing zone. For that purpose a total of 38 Swedish fishing boats received permission from the Soviet authorities to enter their territory.

Which Swedish vessels will receive the license to enter Russian territory is determined in Sweden by the Board of Fisheries and the Swedish Federation of Fisheries' Unions. When they have selected the 38 boats, they transmit the data concerning the skipper, radio signal, size and other identifying marks to authorities in the Soviet Union.

Radio Call

A short while later confirmation arrives from the Soviet Union for permission to fish in Soviet waters, and these licenses are always to be on board the boats. On the other hand, these licenses do not confer the right to enter the territorial waters of the nations.

When the boats from the various countries are about to enter fireign fishing zones, they must always call the respective country's coast guard in order to give their position and identifying marks. The authorities can then check if that boat is one that has a license and whether anything remains of the fishing quota.

When the boats are about to leave the foreign zone, they must call the coast guard 2 hours before departure. The skipper must then report how much fish he caught and the authorities thus have 2 hours to check if that is true.

When Swedish boats are going to enter or leave a Russian fishing zone, the signal is sent via Radio Stockholm and Riga in Lithuania. In this manner both Sweden and the Soviet Union maintain constant control over the catch in the Baltic Sea.

"It has functioned well up to now, and we have had no trouble with the Russians. They have behaved very well," Ingemar Sorensen says.

Fishing Limit

But all is not completely calm over the Baltic Sea. It is not always so obvious where the boundaries run. For the last 5 years Sweden and the Soviet Union have been quarreling about where the fishing limit between the two countries should actually be.

Sweden's fishing limit in principle runs 8 nautical miles beyond the territorial limit, that is to say 12 nautical miles from the Swedish coast. (It is the water between the territorial limit and the fishing limit which is called a fishing zone.)

Thus, Sweden believes that the fishing limit should run between Gotland and the Baltic states. But the Russians don't think so. Instead, they want the limit to run between Kalmar and the Baltic states. If the Soviet Union gets its way, its future fishing limit will be just east of Gotland. Today, the controversial area is considered a temporary no-man's-land, and the Soviet Union so far has not intervened against boats that are fishing there.

On the other hand, they, as well as all other nations, intervene against fishing boats which enter their fishing zones without a license. The fishing zones are governed by national legislation and each nation decides how violators of the law are to be punished.

Hence, the 61,000 crowns the crew of the "Veno" is forced to pay for illegal fishing is something figured out by the Russian authorities themselves.

"It is a large sum by our standards. We have had problems with the Poles, for example, but our fines were considerably lower. But on an international scale 61,000 isn't that much. Norwegians and Englishment are also tough in these matters," Ingemar Sorensen says.

11949
CSO: 5200/2052

NEW ZEALAND

BRIEFS

JAPANESE SQUID FISHERMEN--Dunedin, March 4 (PA)--The size of a Japanese squid fishing fleet off the north Otago coast has been confirmed at more than 100 boats despite official Ministry of Agriculture and Fisheries estimates of about 20. The New Zealand coastal tanker Amokura, steaming south to Dunedin from Lyttelton, passed the first members of the fleet at about 10 am. It passed the last at about 2 pm. At one point during the passage officers on the bridge counted all the boats they could see and came up with 110 confirmed and an estimate of 150 in total. None of the boats was fishing at the time. All were using sea anchors to stay in position, outside the 12-mile limit. The officers confirmed what north Otago citizens have observed for some time, that a very large squid fishing fleet is operating off the coast. [Text] [Wellington THE EVENING POST in English 5 Mar 82 p 3]

HAURAKI GULF RESTRICTIONS--Many Auckland commercial fishermen will have to haul in their nets and shift out of the Hauraki Gulf on Monday when new regulations come into effect. Pair Danish seining and pair trawling will be prohibited entirely in the gulf until September 1. They may then resume their activities but only in waters north of a line from Cape Rodney to Cape Barrier. Pair Danish seiners and pair trawlers with a registered length of less than 19 metres will still be allowed to work in the gulf fishing area 005, just north of the Cape Rodney to Cape Barrier line, from September 1 to the last day of February only. The Ministry of Agriculture and Fisheries has introduced the new rules to try to prevent further depletion of snapper stocks. The fishermen hit hardest are likely to be the owners of medium-sized fishing boats, many of which were designed and built during the past 10 years or so for fishing in the semi-protected waters of the gulf. [Text] [Auckland THE NEW ZEALAND HERALD in English 27 Feb 28 p 1]

FISH SAMPLING TRIP--Fisheries research division deep-water scientist Mr Peter McMillan has just returned from a two-week oreo dory sampling trip on the James Cook research boat with previously uncollected data about the fish, which could aid commercial fishermen. There are two main species of oreo dory in New Zealand waters--smooth and black. Commercial fishing boats do not record the breakdown of the two species as they are caught. Mr McMillan discovered that the black oreo dory was found in shallow water at a depth of up to 600 metres while the less tasty smooth dory was found at depths of over 850 metres. During the 1981-82 fishing year, 10,000 tonnes of oreo dory was caught by the export-oriented joint venture boats. Mr McMillan is collating his data on the age, size, weight and sex composition of the fish. [Text] [Wellington THE EVENING POST in English 22 Feb 82 p 15]

CSO: 5200/9085

SWEDES VEXED: GDR AIR CHART HAS BALTIC LIMIT USSR CLAIMS

Stockholm DAGENS NYHETER in Swedish 4 Mar 82 p 5

/Article by Bo Engzell: "Where Does the Boundary Run? East German Aerial Chart New Subject of Contention"/

/Text/ Malmo, Wednesday--The Swedish-Soviet dispute over where the boundary between Sweden and the Soviet Union should run in the Baltic Sea east of Gotland has flared up again.

This time it was triggered by the GDR travel agency, which at the large and well-attended motor show in Malmo distributed map books of the company's air routes in which the Baltic boundary between Sweden and the Soviet Union are marked according to Soviet desire, that is to say just outside Gotland!

"Extremely interesting information. The Foreign Ministry's legal department will have to study this," press spokesman Jonas Hojer at the Foreign Ministry says to DAGENS NYHETER.

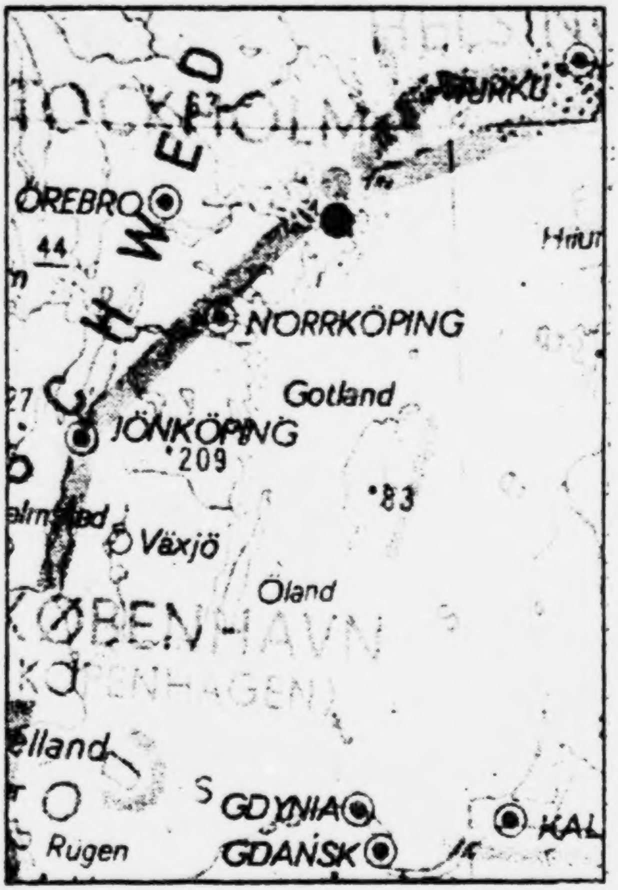
The motor show in Malmo has been open for several days. Interflug's brochure has aroused indignation in some visitors. On Wednesday the matter was taken up in SYDSVENSKA DAGBLADET, where the border dispute was commented on. On Wednesday afternoon the Interflug map book with the "Soviet" boundary had disappeared from the GDR's plentiful assortment of brochures at the fair!

Boundary Dispute

However, this is by no means an aerial chart produced especially for Sweden. It is distributed all over the world, since it shows all of the GDR's air routes. And the way in which the GDR draws the boundary in the Baltic.

Sweden and the Soviet Union have long been quarreling about the drawing of the boundary, which has been discussed at several negotiations.

"When the delegations last met, one only agreed that one did not agree," says Jonas Hojer at the Foreign Ministry. The negotiations continue and have not been concluded.


STOCKHOLM
TURKU
SWED
ÖREBRO
44
NORRKÖPING
Gotland
JÖNKÖPING
209
83
Växjö
Öland
KØBENHAVN
KÖPENHAMN
Sjælland
GDYNIA
GDANSK
Rügen
KAL

It is this map which has stirred up the feelings. Here, the Swedish limit runs just outside Gotland, and this is the way the Soviet authorities want it.

Sweden maintains that the Baltic boundary should be drawn between Gotland and the Baltic coast. The Soviet Union does not want to count Gotland as Swedish mainland but wants to draw the border between the Swedish mainland and the Baltic states, meaning close to Gotland, as the East Germans have marked it on their aerial chart.

However, in the negotiations Sweden refers to the international legal practice, which is to say that Gotland is a big island with a large population and is therefore equivalent to a mainland and that the limit at sea should be drawn accordingly. During the negotiations with the Soviet Union Sweden presented a compromise proposal, but that was also rejected.

Oil Find

"Where to draw the limit is an extremely important question," underscored Jonas Hojer at the Foreign Ministry.

He then pointed out that it concerns the fishing limits, among other things, but that the question is also essential if it should turn out that there is oil on the bottom between Gotland and the Baltic coast. Oil has been found on Gotland, as is well known. Geologists do not consider it unlikely that there could be much, much more oil in the disputed waters beyond the island.

It is precisely the vagueness regarding the fishing limits which has caused concern among professional fishermen. Great uncertainty prevails. The issue has currently become even more important, after the Soviet Union boarded a fishing boat from Gotland in the area and brought it to a Soviet port, where the Swedish fishermen were sentenced to fines for fishing in Soviet waters.

11949
CSO: 5200/2051

TIMOR SEA OFFSHORE WELLS SHOW SUCCESSFUL GAS FLOWS

Tern No 2 Output

Sydney THE SYDNEY MORNING HERALD in English 2 Feb 82 p 19

[Article by J.N. Pierce]

[Text]

A Timor Sea offshore natural gas field neglected for a decade because of its remoteness gained new significance yesterday with a strong gas flow of more than 417,000 cubic metres a day.

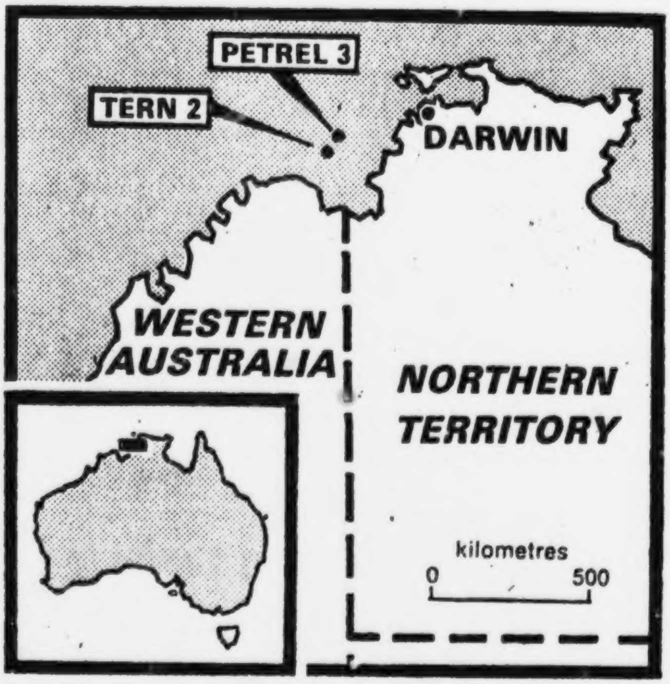
The flow — one of the largest ever recorded in Australia — was reported by the French-controlled Elf Aquitaine group from the Tern No 2 offshore exploration well drilled in the Bonaparte Basin about 360 kilometres south-west of Darwin.

Although still suffering from the disadvantage of remoteness, it strengthens the hopes of the Northern Territory administration to broaden Darwin's industrial base through gas generated electric power.

The Tern No 2 well is about 10 kilometres from the Tern No 1 well, which was drilled in 1971 on the northern part of the structure and flowed dry gas at a rate of 196,000 cubic metres a day over a net pay interval of about 60 metres.

It is also about 60 kilometres south-west of te Petrel structure which is also now bing drilled after a 10-year pause.

The Petrel No 1 well ignited in August, 1969. after encountering a strong gas flow which could not be controlled. It burned for 15 months before being quelled after the drilling of a by-pass well, Petrel No 1A, through which sea-water mud and acid were pumped.



Petrel No 2, drilled soon after, flowed gas at a rate of 252,000 cubic metres a day.

Petrel No 3, about 200 kilometres west of Darwin, is now being drilled by the Ocean Digger as an offshore exploration well by a consortium in which Aquitaine is also a member.

The renewed drilling program follows two seismic surveys run over the two structures in 1980. There was an enforced pause until the two drilling rigs — the Ocean Digger and the Glomar Grand Isle — became available.

The Tern No 2 well is just inside the West Australian sector of the Bonaparte Gulf in WA18P. Petrel No 3 is in the Northern Territory sector in NTP28.

The strong flow reported yesterday of 417,200 cubic metres — or 14.9 million cubic feet — was through a 14.3mm surface choke and at a wellhead pressure of 14,962 kPa.

An earlier test on Sunday flowed 201,600 cubic metres through a 9.5mm surface choke and at a wellhead pressure of 19,513 kPa.

The drill stem test was over the 24-metre interval between 2,545.5 metres and 2,569.5 metres.

The well will now be suspended for later use and results will be analysed before a decision is made on the location of a further well.

The companies participating in Tern No 2 are Aquitaine (with 40 per cent), Oil Investments Ltd (37.5 per cent) and Alliance Petroleum International Ltd, National Mutual Life Association of Australasia Ltd and Montauk Pty Ltd (each 7.5 per cent).

Petrel 3 Success

[Melbourne THE AGE in English 6 Feb 82 p 21]

[Excerpts] A promising oil and gas strike off Northern Australia yesterday gave another boost to Australia's prospects.

Petrel 3 in the Bonaparte Gulf flowed gas at the rate of 17 million cubic feet a day and oil at 180 barrels a day in its first test.

Another test, using a wider surface choke, produced a gas flow of 22.7 million cubic feet a day.

Offshore

Petrel 3 is about 150 kilometres from the coast in the northwestern corner of NTP28, a Northern Territory permit area which runs up against the State's offshore boundary with Western Australia.

The well is the third in the structure, but the first since about 1969, when Petrel 1 made headlines by catching fire, producing a strong gas flow.

Petrel 2 confirmed the gas flow, but the distance of the wells from shore and the absence of markets for what would be an expensive product ensured that no development occurred.

Yesterday's tests from the 3823 to 3868 metres interval were the first of three in a series which began at the bottom of the target zone. The oil flow came with no water, indicating that it might extend lower in the well.

CSO: 5200/7522

BRIEFS

ABALONE POACHING--Melbourne--Poachers have threatened licensed abalone divers at Geelong, according to fishing-industry officials. The officials said yesterday that several licensed divers were extremely worried by threats being made by letter and telephone. A car driven by a fisherman's wife had been deliberately run off the road, they said. Fisheries and wildlife officers at Geelong said that though they had been unable to confirm the threats they did not discount them. There was an organised racket of poaching in the Geelong area and intense rivalry between licensed divers and poachers. The district officer, Mr F. Crowe, said that in the past six months 11 divers poaching for commercial purposes had been caught and seven had been convicted and fined. The executive director of the Victorian Fishing Industry Council, Mr Peter Heighway, said: "Poaching is a matter of grave concern and places the stability of the industry in jeopardy." [Text] [Perth THE WEST AUSTRALIAN in English 8 Feb 82 p 28]

CSO: 5200/7522

WRITER SCORES U.S. POSITION ON LAW OF THE SEA

Dacca THE BANGLADESH TIMES in English 3 Mar 82 pp 5, 6

[Article by Hasan Ferdous]

[Text] A news item datelined Bonn, Feb. 5 which was published in The Bangladesh Times said a quadripartite agreement on the law of the sea and international deep sea mining has been reached. The members of the accord are West Germany, Great Britain, France and the United States, the only countries except Japan and Canada who are equipped to carry out independent research and exploration of the resources down deep in the sea.

The news item has escaped most people's notice but the attempt of these four major Western nations to sign a separate treaty among themselves on deep sea mining ignoring the UN efforts to conclude an international treaty involving all the nations of the world constitutes one more example of how the rich and powerful West is out to show who makes the laws and who can unmake them. This wanton disregard of the world body and the overwhelming desire of the international community deserves not only adequate explanation but also outright condemnation.

The codification of a unified law of the sea has been on the UN agenda ever since its inception more than three decades ago. The first conference on the issue called 1st UNCLOS (UN Conference on the Law of the Sea) was convened as early as 1948 and twelve years later a fresh conference (called 2nd UNCLOS) was held, but on both occasions the members of the conference failed to reach a broad based agreement on a number of issues. It was generally believed that the conference failed mostly due to a nagging attitude adopted by a number of nations claiming greater right on the resources of the ocean considered to be belonging to the whole human kind. The basic questions that the confering nations found particularly debatable were on the outer limits of the territorial sea, regime of passage through international waters, recognition of the coastal states' fishing rights beyond the territorial sea and the question of peaceful uses of the sea bed area (the Area). Despite the apparent disagreement among themselves, the members of the United Nations decided to convene a fresh conference, this time it was called the 3rd UNCLOS. Since December 1973 this specialised UN agency has been in session and after painful and arduous bargaining for more than seven years a draft treaty was finally prepared early last year and was presented at New York for a final scrutiny before its formal signing at Caracas later that year. One of the chief participants of the conference was the government of the United States and it was through the good office of the former US Secretary of State Henry Kissinger that a compromise formula was adopted by the members of the draft treaty. But a most dramatic announcement was made by the new administration of President Ronald Reagan forty-two hours before the conference was scheduled to be opened that the US government was not yet prepared to consider the draft treaty for endorsement. Causing deep anger and frustration among the assembled members the Reagan administration declared it needed more time to review the treaty before it can be considered for ratification. It won't be inconsistent to remind the readers that three preceding US administrations (Nixon, Ford and Carter) were full members of the conference and they fully prescribed to the treaty. But now serious loopholes were discovered and Mr Reagan decided to pull the plug.

The Americans, however, found nothing detrimental to a number of decisions already reached at the conference among them general agreements on a 12-mile territorial sea, another 12-mile contiguous zone and a 200-mile exclusive economic zone. Broad consensus was also reached on the rights of access and freedom of transit for the landlocked countries. But the Americans decided to raise objections to an issue debates on which have taken the most of the time of the conference namely the question of deep seabed mining. The law of the sea (draft) wanted to limit the rights of the signatories to the exploration in the deep sea and confine them to agreeable levels. The treaty, if ever signed, aims at not only restricting the exploring rights of a number of international private organisations who have already invested many years of labour and millions of dollars in research and initial exploration but it also intends to bless the poor developing countries who do not have and will not have in the foreseeable future the means to explore in the deep sea with a share of the vast treasure of minerals now lying under water.

How rich is the deep sea? According to primary explorations, the ocean which constitutes three quarters of the world's surface has biological productivity ranging between 100 and 600 billion tons of living organism. Interests of the mining concerns are focused on nodules at a reachable depth between 2,000 and 3,000 metres which contain over twenty mettalic elements among them the most valuable are nickel, copper, cobalt, manganese and molybdenum. Of these minerals cobalt is essential for jet turbine blades and sophisticated electronics, nickel is important for petro-chemical industry and molybdenum is indespensable for all steel, cast-iron and other non-ferrous metals.

According to the primary survey of the United Nations' department of international economic and social affairs (1980) potential nodules reserves of nickel go well beyond 290 million tonnes metal content, copper 240 million tonnes, cobalt 60 million and manganese 6,000 million tonnes. This should be noted that only three per cent of the entire sea bed has so far been surveyed and the rest if surveyed will definitely reveal the treasure which the whole mankind may be profitted from for many more next generations. According to US reports, the most prosperous zones are located in the East and South Pacific and the Indian Ocean.

It is only natural that the multi-national corporations with support from major industrial nations will cast an eye on this limitless resources. As a matter of fact more than twenty-five major multinational corporations from eight major industrialised nations namely the USA, Belgium, Canada, Great Britain, Holland, France, West Germany and Japan have already grouped into five international consortia devoted totally to the research and exploration of seabed mining. An estimated two hundred million dollars have already been spent on the initial survey and research. It may be noted, seabed mining is such an expensive enterprise and so complicated is the technology involved that most developing countries do not have the minimum resources and ability to take up the industry independently. According to the estimates made by an American University the development cost of each mining site will be more than 560 million dollars and the operation cost more than 100 million. Besides internal rate of return for the baseline project will not be more than 15-20 per cent. Unquestionably only collassally rich parties can venture to undertake the operation. Major industrial nations and the multi-nationals owned by them already possess the means and technology to go right into deep sea mining. But what the UNCLOS was trying to do was to make sure that the resources don't go for the grab of a few already very rich.

The UNCLOS started with the assumption that ocean and its wealth are "common heritage of the mankind" and hence all nations, irrespective of its ability to explore the seabed should have a right to share it. To meet this popular demand of the overwhelmingly majority nations of the UN, the draft treaty prepared by the UNCLOS proposed that an inter-governmental organisation named International Seabed Authority which will possess wide ranging political and economic functions will supervise the whole mining operation. Initially the Third World countries proposed the Authority to have entire functional control over the seabed and carry out mining exclusively but later a parallel system of mining was put forward by Dr. Henry Kissinger and it was accepted as a compromise formula. According to this system, mining in the seabed area should be carried out simultaneously by the enterprise (the business organ of the Seabed Authority) and independent parties--individual states or corporations in sites allocated by the authority. The returns received from the explorations of the enterprise was expected to be shared by the UN members as a whole; a certain percentage from the profits of the individual parties was also scheduled to be channelled to the UN fund. It was believed, this formula if pursued honestly, could benefit the whole mankind, the multi-nationals not excluded.

The United States was the sole country which found objections in the treaty. Without specifically mentioning exactly what it has in mind and which clauses it finds incompatible, the US government cancelled all negotiations on the treaty. It was clear that the new administration was facing increasing opposition from corporate interests who if the treaty ratified would find their profits drastically slashed. Since then it has been clearly identified that the Reagan decision to plug the treat was taken on the insistance of a number of top officials with mining interests. Mr James Watt, Reagan's Secretary for Interior is one of them. It has been established that prior to his appointment in the high office Mr Watt was closely associated with a mining corporation engaged in seabed exploration. In hearing before the US Senate committee administration members confessed, the ratification of the treaty would oblige the multi-national corporations to transfer the technology developed by them and also force them to work under the stricktest surveillance. This is clearly opposite to US national interest.

Now to safeguard the corporate interests four industrialised nations have decided to go ahead with a unilateral agreement which will guarantee individual organisations originating from these countries to engage in seabead mining. This defiance of the international opinion is not only a wilful violation of accepted international norms but also an outright challenge to the international community. Seven years have already passed and millions of dollars already spent in the preparation of a universally accepted treaty on the seabed regime. But now a handful of nations whose disregard to international opinion has already become a common practice are out to nullify the entire toil and trouble. This accord announced to be signed in near future has come on the eve of fresh round of discussions on the draft treaty which is expected to open next month. Meanwhile, the US administration has so far failed to come out with a well defined statement on its policy towards the law of the sea; it has also failed to specify the clauses they find hard to swallow.

The Third World countries in association with other developed nations have now decided to go ahead with the completion of the treaty. In a recent statement made at the United Nations the chief of Peruvian delegation Alvaro de Soto who is also expected to head the proposed Seabed Authority said, nothing now can prevent the final adoption of the treaty. There is no reason for the USA to refuse a treaty which most countries in the world have found perfectly acceptable, he declared. If this draft is finally adopted and it later gets UN recognition, the proposed quadripartite treaty to be signed by the USA, France, United Kingdom and West Germany will also have little legal validity. According to observers the adoption of the international treaty on the law of the sea and its subsequent universal application will automatically nullify any national law contradicting the universality of the former one.

The international community is running out of options. If the United States wants to maintain its claim as the mightiest nation of the world and continue its responsibility as a permanent member of the UN Security Council, it should give a second thought on the law of the sea. "A second thought is better than its first thought," commented the New York Times.

CSO: 5200/7030

BRIEFS

SOUTH CHINA SEA INCIDENTS--Jakarta, 16 Mar (AFP)--The leading Indonesian daily newspaper KOMPAS today warned that recent incidents in the South China Sea could further aggravate the situation in the South-East Asian region. "Reports that 40 Thai fishing vessels had been seized by the pro-Vietnam Cambodian regime and naval clashes between Vietnamese and Chinese gunboats are making the sea hot," the paper said editorially. "The attitudes of Vietnam and China on the settlement of the Cambodian problem will surely have a certain bearing on the heating up of the South China Sea. Such a situation can be exploited by one side to force its will on the other and we shall watch how both sides will be accusing each other of violations. Perhaps this situation will persist as long as the Cambodian problem has not been settled, or it can be used as a pretext to protract the problem," the paper said. [Text] [BK161454 Hong Kong AFP in English 1348 GMT 16 Mar 82]

MOKHTAR COMMENTS ON CONFERENCE--Foreign Minister Mokhtar Kusumaatmaja has said that there is no longer any problem regarding Indonesia's main interest in the sea law conference, because the concepts of the archipellagic principle, continental shelf, exclusive economic zone and so forth have been incorporated in the draft convention of the conference. Minister Mokhtar said this on arrival at Jakarta's Halim Perdanakusuma airport from visit to London, the Hague and New York. But he said the stipulation of the draft convention on the limitation of production from the international seabed, which affects Indonesia's interest as a mineral mining country, is among the questions being raised again by the United States. All efforts to maintain the compromise which has been achieved on the mining of the international seabed will be carried on at the ninth session of the sea law conference in New York. [Text] [BK161606 Jakarta Domestic Service in Indonesian 1500 GMT 16 Mar 82]

CSO: 5200/5643

FISH EXPORTS AT 129,000 TONS in 1981, 17 PERCENT RISE

Auckland THE NEW ZEALAND HERALD in English 19 Feb 82 p 14

[Text]

Wellington

New Zealand last year exported 129,000 tonnes of fish, worth $190 million — a rise of 17 per cent on 1980.

"This continues the trend of substantial jumps in fisheries production every year since 1975 when exports were only 14,000 tonnes with a value of $26 million," said the chairman of the Fisheries Industry Board, Mr M. Hinchcliff.

Joint Ventures

Domestic production accounted for $110 million of last year's exports, with joint ventures providing the remainder.

Mr Hinchcliff said that at least 20 per cent of the joint-venture exports had been processed in on-shore processing plants.

Rock lobster was the biggest single export, totalling $36 million, but the most dramatic growth was in fin-fish sales, which jumped 37 per cent to $117 million.

Although orange roughy exports rose to $16 million, snapper — at $20 million — retained its place as the main fin-fish exported.

Others included tuna ($14 million), hoki ($6 million) and barracouda and the warehou ($5.5 million each).

Exports of squid — entirely a joint-venture catch — totalled $28 million.

Board Optimistic

"The board is optimistic that the general improvement in export markets during the year, after a long period of virtual stagnation, will continue," Mr Hinchcliff said.

"We expect that we could see a further strengthening of prices in most markets, with more economic prices being returned in the coming year.

"Whether or not this new level of exports can be maintained and even increased, will depend substantially on the ease with which any transition from joint venture activity to domestic operations takes place."

CSO: 5200/9085

NEW ZEALAND

LIMITATION ON EXPLOITATION OF HAKE RESOURCE URGED

Wellington THE EVENING POST in English 3 Mar 82 p 20

[Text]

PROCEED with caution is the Ministry of Agriculture and Fisheries' attitude towards the exploitation of hake — a resource coveted by both domestic and joint venture fishermen.

Hake, a trawl-caught fish, is found at a depth of 200 to 800 metres. The 70 centimetre fish is sought for its moist white flesh, unspoiled by bones.

In the past, domestic fishermen limited their catching to inshore waters and the deep water species were an occasional by-catch. Now they are being promoted by the catering trade and Fishing Industry Board with the hope of ensuring a regular supply to consumers.

A study of the Westland hake fishery prepared by a fisheries scientist, Mr G J Patchell, says that little is known about the long term variability of the fishery.

"It would be prudent to limit the total allowable catch to a level well below the maximum sustainable yield until more data is available," Mr Patchell said.

In the past hake has been exploited primarily by foreign fishing fleets. Significant catches have been reported since 1976 off Westland.

A new hake resource was discovered in January 1980 when 352 tonnes was caught on the Chatham Rise.

In July 1981 the Minister of Fisheries, Mr MacIntyre, decided that joint venture boats would be allowed 1000 tonnes and the domestic fleet 1500 tonnes.

The decision followed a dispute between New Zealand's commercial fishermen and joint venture operators who claimed that the domestic fleet was failing to harvest the hake from the area from which joint ventures were excluded.

In August 1981 joint venture boats were allowed back into the zone on the West Coast.

The Government is expected to announce its policy on the development of New Zealand's fish resources — and the participation of joint ventures — for 1982 within the next two to three weeks.

CSO: 4700/9085

SEAGA ON LAW OF THE SEA NEGOTIATIONS

FL242355 Bridgetown CANA in English 2138 GMT 24 Mar 82

[Text] Kingston, Jamaica, 24 Mar (CANA)--Jamaica is hoping that negotiations for a law of the sea treaty will be completed in time for the planned signing in Venezuela in September, prime minister, Edward Seaga, has said.

"We are all aware...that these (law of the sea) deliberations have run into some problems in terms of objections from some countries, namely the United States.

"However, it is envisaged that such objections will be dealt with in time to enable the deliberations to be completed, so that the conference in Caracas in 1982 will be in a position to sign the international law of the sea," Mr Seaga told parliament yesterday.

He was then seeking approval for a 20 million dollar (U.S.) loan from a consortium of banks to help finance construction of the building here that will serve as a temporary headquarters for the International Seabed Authority (ISA).

The law of the sea negotiations ran into trouble because the Reagan administration objected to sections of a draft agreement which the United States had already endorsed under the former Jimmy Carter administration.

Meanwhile, Jamaica is looking for an economic boom from having the ISA headquarters sited here.

Prime Minister Seaga told parliament that during the first five years it was expected that there would be an inflow of 83 million dollars (U.S.) for the operational costs of the headquarters, which would more than cover the 54.6 million dollars the government is now spending on constructing the temporary facilities.

In addition it would mean the inflow of salaries for officials, more embassies and high commissions and increase businesses to serve these groups, the prime minister indicated.
CSO: 5200/2062

WEALTH OF NATION'S FISHING RESOURCES EXAMINED

Victoria NATION in French 10, 11, 12, 13, 15 Feb 82

/_Articles by Aicha Toualbi and Habib Mosaheb_7

/_10 Feb 82 pp 3, 10_7

/_Text_7 Along with agriculture and tourism, the fishing sector is capable, in the medium range, of securing the lion's share in the Seychellois economy, since fish, as everyone knows, makes up the population's basic food.

The Seychellois are said to consume some 90 kilograms of fish per person per year, a figure which on its own explains why there was an interest in taking a closer look at what fishing amounts to in the Seychelles, reviewing the problems involved, the possibilities open, and the prospects for development that are taking shape.

Even though the knowledge of a few facts and figures seems informative on more than one score for a better understanding of so vast a subject, we are going to try, by means of a few articles over and above the technical facts and figures that may elude the layman, to grasp the issue of Seychellois fishery in its most ordinary and tangible aspects.

With and economic area of 1 million square kilometers, territorial waters extending 12 miles (19 kilometers) out, and a large stock of fish, enormous possibilities are potentially available to the Seychellois fishing industry. What are the facts?

Diversified Reserves

For the moment, the situation looks far from idyllic. Deep-sea fishing is little practised still by the Seychellois fishing fleet, whereas the coastal areas are being over-fished and fishing results are still unsatisfactory compared to what they could be if problems were resolved, such as the shortage of vessels, and of funds and manpower, and the lack of infrastructure; and if questions, such as: "Should fishing be done with nets or with rods, or both?" were answered.

Tuna, so plentiful in the Indian Ocean, is a fish which, as they say, "is going well" on the international market. There are customers throughout the world, but supply cannot yet meet the demand in that market, unfortunatelythough it is very likely that it could be an appreciable source of income for the country.

Assuring Continuity

Another crucial issue raised by a SEYCOM /̄ Seychelles National Commodity Company Limited_/ official is the need for introducing younger fishermen. The experienced fishermen are mostly elderly or middle-aged men, whose experience, often very extensive, needs to be passed on to younger ones. But a lack of interest in this profession is noted among young people, a lack of motivation and self-interest that is worth some concern without too much delay.

Fish reserves are very diversified. The great variety of fish can be separated into two categories popularly known as bottom-fish and open sea fish, or more scientifically, flatfish and pelagic fish.

To mention the best-known species, it can be said that the bottom-fish are essentially made up of "bourgeois", wrasse, etcetera, and open sea fish of tuna, mackerel, etcetera.

Biomass, which is all the living matter concealed in the ocean, amounts to 70,000 to 90,000 tons of fish on the Mahe and Amirantes plateau, in terms of flatfish, of which 8,000 to 9,000 tons can be harvested every year.

Reserves of large pelagics, that is to say, tuna, are estimated at 60,000 tons, a very fluctuating figure, however, the maximum harvestable being 15,000 tons a year. The annual catch volume of both categories is estimated at 6,000 tons, of which about 5,000 tons are consumed locally, and the surplus intended for export.

Dual Objective

The Fishing Development Company, a partially state-controlled enterprise founded 5 months ago to take over from private and state companies that had existee until then and centralize fishing activities, is a subsidiary of SEYCOM, and its dual purpose is to fish for the local market and supply the foreign market. The FDC /̄ Fishing Development Company_/ is involved in both traditional fishing and industrial fishing.

Predictions established on the basis of catches over the past 5 months are on the order of 45 tons of fish per vessel per year for traditional fishing, no reasonably reliable prediction being possible yet for industrial fishing which is only just getting started.

The FDC at present comprises an industrial fishing vessel and a fleet of 18 vessels that cannot stay at sea for more than 9 days, of which 12 are operational for the present. These 12 vessels employ about 60 fishermen paid at piece-rates. They are presently equipped only for fish preservation on ice.

Nevertheless, the FDC is setting itself a number of objectives, the company director, Jacquelin Lablache explained, that are expected to improve the situation relatively soon. First new vessels have to be acquired, two more between now and the end of the year, to bring the fleet up to 20 units, as the 5 unusable vessels are to be restored before the end of June. Later, when the ship-yard of Boat Builders Limited in La Digue is ready, FDC will have the vessels it needs built there.

One of the company's first concerns, Mr Lablache stressed, is to protect traditional fishing by improving the overall situation..

This means not only modernizing vessels, equipping them with refrigeration systems to enable them to stay at sea longer, but also providing the conditions for a less wretched fate for fishermen, protecting their safety better, particularly by equipping the vessels with rescue systems, radios, medical supply units, fire extinguishers, everything that should logically have a positive effect on fishing itself.

The sole industrial fishing vessel, the "Seykor," is equipped for tuna fishing with the "palangre," or "long line," a system consisting of a line several kilometers long to which a whole series of other lines equipped with hooks is attached. The FDC uses this fishing method on board the "Seykor" by agreement with a foreign company, with 51 percent of shares belonging to the Seychelles.

Enhance Training

The first catches brought in by the "Seykor" at the end of a 2½-month expedition at sea weighed 140 tons; it is as yet impossible to say whether this volume will be maintained, increased, or diminished as the months go by, and it cannot be used as a basis for any predictions. Twenty-nine navy fishermen are working aboard the "Seykor," including 4 Seychellois apprentices. The FDC, Mr Lablache states, is concerned about enhancing this type of seaborne training, which is considered the fastest and the most effective.

The greater part of the nation's fishing catch is supplied by individual fishermen working for themselves or for fishing-vessel owner-operators. Their catches are sold directly to SEYCOM, in the villages or the central market.

We went to SEYCOM where we met a few free-lance fishermen who are working for owner-operators. We had a talk with an official, Claude Moise, as well as with a few fishermen who had just brought in their catch.

We discovered that about 15 vessels work with SEYCOM on a regular basis, including 12 eight- to nine-meter boats with 8 fishermen aboard at most. Their average catch amounts to 25 tons of fish a week, generally including tuna, carangids, bonita, bourgeois, job. They are equipped to store fish in ice.

Other fishermen work with fish-traps (lobster-pots, bow-nets), etcetera) or with rods in small boats for excursions not exceeding 1 day in duration. It is hard to quantify this type of fishing, done with the most traditional equipment and on an irregular basis, but according to some officials, their contribution is still very significant at market level in various districts.

Though it seems to be a matter of the highest importance to maintain and even develop traditional fishing, which is better understood and less expensive, it appears that any large-scale development of fishing requires the implementation of industrial or semi-industrial methods capable of boosting the sector and complementing traditional methods. In any case, as is pointed out by Joel Nageon de Lestang, fisheries officer, it is important to remember that the Indian Ocean does not contain an inexhaustible supply of fish, and that exceeding the workable limits would involve the risk of destroying existing reserves for many years to come.

/̅11 Feb 82 p 3_7

/̅Text_7In the Seychelles fishing has given rise to an impressive amount of scientific research which has rendered possible a more precise of the seabed and the flora and fauna of this area of the Indian Ocean.

From these studies it is evident that bottom fishing, which is to be the object of rapid improvements in the nextfew years, is in good shape, the only danger not to be underestimated being, as we pointed out in the previous article, that of exceeding the limit of 7,500 tons of fish a year, the threshold beyond which the fish supply would be in danger of depletion that it would be difficult to reverse.

But for deep-sea fishing, essentially tuna fishing, requiring industrial or semi-industrial methods, and upon which the future of fishery in the Seychelles depends, a question of the highest importance is still utterly unanswered: what type of fishing should be selected?

Some experiments, very promising initially, ended up, like that of the four SNAFIC (Seychelles National Fishing Company) tuna boats, in distressing failure. Whether because of this aborted project or other earlier experiments, there is still a question as to what measures to implement to increase significantly the annual fishing volume and as to the most appropriate method for catching tuna: drag-net, long line, rod, industrial or semi-industrial means?

Two experimental campaigns now in progress, one Spanish and the other French, attracted our attention particularly.

Impressive Results

Since the start of their campaign, that is, since last December, the two Spanish vessels, of medium size, using semi-traditional methods, equipped for rod-fishing, have been bringing in an average of 40 tons of fish a month for each boat, a really spectacular result which has rallied the most sceptical to this type of fishing, and there were a lot of sceptics at the beginning.

Even today, a number of doubters are finding it hard to believe the figures reported and want proof. So what occurs at the port when the two Spanish vessels unload their cargo is quite astonishing.

The quantities of fish unloaded unfailingly cause a curious crowd to gather, unable to believe its eyes. And because of the lack of infrastructure, the only available quick-freeze chamber having a capacity of merely 10 tons, the Spaniards find themselves normally forced to wait several days to unload all their fish, whereas they would like to put to sea again the same day that they return to port.

In the opinion of Joel Nageon de Lestang, fisheries officer, their success, however impressive it may seem here in the Seychelles, is not at all surprising in itself. The Spanish, Mr Nageon tells us, are the best in the world with this fishing technique.

With respect to the success achieved, Mr Nageon thinks, the Seychelles would have everything to gain by acquiring vessels of the sort used by the Spanish, especially since these boats are inexpensive and involve little funding.

Key Question: Live Bait

However, Mr Nageon stresses, it is important for the Seychellois to learn the technique and succeed in mastering it perfectly. But there is no doubt, Mr Nageon asserts, that this type of fishing represents great hope for Seychellois fishery.

The Spaniards' first advantage is in having been wise enough to take the necessary time to catch live bait, without which rod fishing is only an illusion. The bait problem, Mr Nageon explained, is an acute issue throughout the world.

The Spaniards have proved that contrary to past assertions, Seychellois waters contain sufficient quantities of fish that can be used as bait, such as the "chinchard" or the maoune, which has the scientific name "decapterus." The Spaniards' research has enabled the conclusion to be reached that living bait exists in abundance on the Mahe shelf, wherever the water depth does not exceed 45 to 60 meters.

It should be stressed that the Fisheries Division does happen to have a boat specifically for hunting for live bait. This vessel, the "Scyllarus," was delivered last August to the Seychellois government, completely repaired and refitted,, by the French Ministry of Cooperation, and should, as the minister of planning and development, Dr Maxime Ferrari, said at the time, provide "great possibilities for success in tuna fishing."

The key issue of live bait is also the subject of another study now being carried out by ORSTOM, the Overseas Scientific and Technical Research Office.

Raft: an Experiment to be Watched

ORSTOM is also working on another project concerning tuna which is worth mentioning. It concerns a fishing procedure implementing not a boat but a raft made of rope, pipes welded together, bamboo poles, and four floats. On the raft are hung ropes to which are attached coconut-palm fronds that create shadows and attract small fish expecting to find protection in the areas of shade and foliage.

Once the little fish are under the raft, they in their turn, though they are few in number, and the phenomenon has not yet been clearly determined, bring about mass arrival of tuna schools. All that remains to be done is to catch the tuna with a net. The only disadvantage of the rafts is that they are very expensive.

The ORSTOM rafts have only recently been anchored in place, and it is therefore still too early to say if the method should be adopted by the Seychelles or not.

However, experiments in fishing with the aid of rafts have been done with good results in Haiti, Maldives, Sri Lanka, Hawaii, and Indonesia.

/ 12 Feb 82 p 3 /

/ Text / While the Spanish rod-fishing campaign continues with impressive success, another experiment, a French one, has begun in seine-fishing, with positive initial results. The Spanish are using semi-traditional methods, the French, sophisticated industrial methods. Is a choice between the two experiments foreseeable already?

With the research operations carried on by ORSTOM and on the basis of another experiment deemed fruitful, that was carried out from December 1980 to February 1981 by the French tuna-seiner "Ile de Sein " belonging to the Finistere Shipfitting Coperative, a new experimental seine-fishing campaign was decided upon last year in March between the Seychellois government and the French government.

Almost a Full Load

Finalized last October, and agreed upon for a minimum of 6 months, the campaign was financed half by the French Consortium for Fishing Development, COFREPECHE, and half by the French government and receives all possible assistance from the Seychellois government, including the support of a prospection aircraft.

Sixteen million French francs were allocated to the campaign, or some 17.2 million rupees. Under the terms of the agreement, the vessel "Yves de Kerguelen" left Dakar on 25 October bound for Seychellois waters.

The "Yves de Kerguelen" is to continue to experiment begun by the "Ile de Sein," become more familiar with this area of the Indian Ocean, and finally, determine whether seine-fishing can be practised there successfully, and in what conditions.

According to Mr Raynaud, president and general manager of COFREPECHE, which is directing the campaign, the "Ile de Sein" had already succeeded in proving false the idea that nothing would come of seine-fishing. The "Yves de Kerguelen" hopes to arrive at the same conclusions, the same "disproving."

Every condition has been met to make this campaign a success: highly sophisticated equipment, a vessel capable of being longer at sea, a helicopter, and during its first fishing expedition, the "Yves de Kerguelen" had the advantage of support from the French research aircraft "Interthon."

After the first 2½-month experiment, the "Yves de Kerguelen" returned to the port of Victoria with a 600-ton load; in other words, Mr Raynaud told us, "We nearly filled up."

Even taking into consideration the few difficulties encountered during the first fishing trip, a completely fruitless first month, a small technical problem that was quickly corrected, unusual periods of bad weather, and the impossibility of berthing during the whole curfew period, it can be asserted that the 600 tons harvested by the "Yves de Kerguelen" amount to an encouraging outcome.

No Conclusions

The question then is to find out whether such catches can be made on a regular basis. Mr Raynaud feels that at the moment there is no justification for such an affirmation. It has to be taken into account that the aircraft "Interthon" greatly contributed to the success in that the vessel several times sailed toward waters where there were no fish, and the "Interthon" criss-crossing the area in all directions, quickly detected the regions where fish were present and toward which the boat needed to head.

Now that the "Interthon" is gone, the "Yves de Kerguelen" will certainly receive help intermittently from the support of a Seychellois aircraft, but without full-time help, it will continue its campaign somewhat handicapped.

However, Mr Raynaud particularly wants to point out, even though it can be asserted, as proven, that seine-fishing is possible in the Seychelles, no overall conclusions can yet be drawn. Further pronouncements will have to wait until the campaign is over. But still, it can be said as of now that a certain number of conditions must be met if we are to launch into this type of fishing in the Seychelles: acquisition of ultra-modern equipment that is extremely expensive both in terms of investment and operation, a spotter-aircraft to support it full-time, and personnel with the appropriate training being the minimal conditions, apart from which we are still without any real certainty as to prospects of making such a project profitable on the Seychelles market.

In addition, even if with all conditions met, the operation turned out to be profitable, the question of processing the fish for sale would have to be resolved first, even if part of the fish can be supplied to the world market fresh.

Great Migrator

One element that could also contribute to making this type of fishing profitable , and should not be overlooked, is the development of regional cooperation in the matter, tuna being a great migrator and "indifferent to economic zone frontiers." Mr Raynaud told us: "You have to be able to follow tuna wherever it goes."

If, and only if, all conditions were met, industrial fishing of the "Yves de Kerguelen" type, practised as a counterpart of traditional fishing, "might lead to an important economic development."

/_13 Feb 82 p 7_7

/_Text_7 With regulations on the 200-mile Exclusive Economic Zone coming into effect, vast possibilities in fishing are opening up for many countries, including those in the southwest zone of the Indian Ocean. However, these possibilities require appropriate means for more coherent and rational development that will permit the countries concerned to derive the maximum in social benefits (improvement of fishermen's living conditions, reduction of unemployment) and economic benefits (meeting the population's food requirements, monetary returns, etcetera).

But the countries in our region, taken individually, have limited technical, financial, and manpower resources. Hence the need for effective regional cooperation, whihch would be the only way to respond to the new situation.

Regional Project

It is such cooperation that is addressed by the regional project of the

Committee for Development and Organization of Fishing in the Southwest Indian Ocean, which brings together, in addition to the Seychelles, Kenya, Madagascar, Mozambique, Tanzania, Somalia, Reunion, and Mauritius.

The project, financed by the United Nations Development Program (UNDP), also receives the assistance of the United Nations Food and Agriculture Organization (FAO).

The committee was set up in 1980 by the Indian Ocean Fishing Commission (an organization sponsored by the FAO) bringing together the 36 Indian Ocean countries, and as observers, a certain number of other countries, such as France, the United States, and Japan.

The commission feels, indeed, that with the development of fishing, a single project covering so vast an area as the Indian Ocean would not meet the needs of the member countries very well. It therefore decided to create subregional committees and to have projects connected to those committees instead.

For the southwest Indian Ocean zone, project documentation is not yet finalized. However, an FAO expert, Mr Ardill, has been in the Seychelles for some time already, working on this project.

The project affects just about all sectors of fishing (traditional or according to local practice, and to a lesser extent, industrial).

Objectives

It covers indeed the full range from selection of vessels (or fishing devices of appropriate type) problems of preservation of fish already aboard vessels, fish unloading problems, and packing, to unloading, transportation to market, marketing problems, etcetera.

Intended to provide liaison among all the countries in the zone so as to find joint solutions for problems that are generally joint problems, the project also involves closer cooperation in maritime surveillance.

It should be noted that the Committee for Development and Organization of Fishing in the Southwest Indian Ocean had decided during its meeting in Mauritius last year to finalize strengthened fishing control and inspection systems at the national as well as regional levels, and to improve legislation to adapt them to all the member countries. We also recall that a regional seminar on this issue will take place next April in the Seychelles.

When a country tackles surveillance and control problems on its own, the cost can become very burdensome, because semi-military resources are needed, Mr Ardill was to state. That he added, reduces the country's income from fishing. Regional cooperation can undoubtedly reduce surveillance costs very noticeably.

Estimation of Stocks

The project will also help the countries involved to estimate the stocks of fish available in the region, to determine, therefore, the quantity of fish that can be harvested without over-fishing, and to choose among the various ways of making catches as profitable as possible.

Closer concertation among the countries in the region, particularly concerning tuna-fishing, in which there are far too many vessels for a limited stock of fish, would make it possible to limit the number of licences granted to foreign boats, and thus increase daily catches for each boat, which would improve returns for both shipowners and the countries involved.

Training

What are the projects's plans for training?

"The first concern is training of cadre, rather than fishermen directly, because most of the countries in this zone have fishing services that are very young. Thus, most of the cadre have university training that is very good, but specialization in fishing -- and in particular in tropical fishing, which is much more complex because of the large number of species and the fragility of the environment -- is an undeniable necessity. The project ought therefore to have a rather important role in this," Mr Ardill indicated.

As to training for fishermen, the FAO expert continued, "I think that it requires outlays that exceed the financial possibilities of such a project." But of course, the fact must not be overlooked that regional coordination in that sector would be extremely extensive, he specified.

One of the project's roles would be precisely to identify priority topics in which training could most easily be given, and to try to interest providers of bilateral or multilateral aid to finance such appropriate training.

Under this project, then, regional cooperation is expected to grow stronger to the advantage of all the peoples concerned, especially since fishing is in itself a sector that requires in present conditions greater regional cooperation to be more profitable.

Until now, a large part of international aid to fishing has been given to individual countries. This aid, however, is very costly, because the cost of experts and equipment is very high.

It is also noted that international aid is often directed toward other sectors to the detriment of fishing, which in many cases does not receive adequate allocations to permit rational development and the completion of projects which are very costly.

There is thus no doubt that the regional projects are conducive to solving this sort of problem and meeting the needs of as many countries as possible.

[15 Feb 82 p 3]

[Text] How is marketing organized for the 6,000 tons of fish that represents, as already noted, the annual catch in the Seychelles? What are the problems and the prospects in this economic pursuit? Where do exports stand? These are a few aspects of fish marketing that attracted our attention.

Fish marketing is done on two levels. Fish is sold by individuals in the markets of the capital and the various districts of the republic. The fish involved here are bourgeois, carangid, becune, etc.; as well as "little fish" (cordonnier, cacatoa, mackerel, etc.), caught in traps or with nets. The latter are sold in "packs" of about 2 kilograms. Prices vary between 10 and 25 rupees.

In the coastal villages, the fish is often sold directly, by the fishermen, at lower prices. Although we are unable to put a figure on the volume of these sales, it is nevertheless clear that they represent an appreciable market share.

SEYCOM

SEYCOM (Seychelles National Commodity Company Limited), a parastatal enterprise, also handles the sale of fish on the Seychelles market, as well as exporting it, as it does for all other Seychelles products.

According to the figures given by Guynemer Corgat, the SEYCOM official in charge of local fish marketing, it appears that the enterprise sells about 50 to 60 tons of fish a month during the good season. The figure is higher (65 to 85 tons a month) during the period of the southeasterly monsoon, commonly known as the "bad season."

The reason for the increase is a simple one, Mr Corgat explains. During the southeasterly monsoon, district markets cannot meet demand, their own supplies being significantly reduced because of the bad weather prevailing at sea, which prevents many boats from going out.

People go much more often to SEYCOM, where there is always a supply in reserve specifically to meet this situation.

At SEYCOM, fish is sold either fresh or frozen. It is classified into two categories: bourgeois, flat wrasse, kingfish, sailfish, marlin, tuna job, and becune are in category A, while carangid, bonita, "varavara," "white captain," "lascar," and "madame Bery" are in category B.

Category A fish is sold at 8 rupees per kilogram, and category B fish at 5 rupees, and the rpice is the same for fresh fish as for frozen.

"As soon as the fish is unloaded, we examine it to see if it is fit for consumption. Then we decide on the volume to be sold fresh, frozen or earmarked for export," Mr Corgat explains.

The fish is then placed in a large freezer below 35°C, from which it will be taken to "temporary storage" in small cold storage rooms. From there, it will take to the sea, in the refrigeration holds of large vessels (this time for export), or will be found neatly done up in plastic wrappers for sale to consumers.

Customers

A distinction is made between two types of customer: large-quantity buyers (such as schools, the Port Launay youth village, the hospitals, the army, and the hotels) and the public at large.

SEYCOM also sells fish filets and steaks, and is expecting to launch in the near future a whole range of new products, such as tuna-burgers, ground fish, sausage, fish "hot dogs" and more.

Studies are in progress. Some of them already enable the assertion to be made that fish thus processed will be much appreciated by the population and will constitute a profitable enterprise.

Mr Corgat also stated that the marketing service is somewhat handicapped by lack of facilities, both in unloading and freezing. This question is under study, and in a while, he specified, we shall be in a position to offer our customers better service.

SEYCOM also hopes to have branches for fish sales in the various districts of the republic.

Prejudice Against Frozen Products

We asked Mr Corgat about the widespread prejudice in the Seychelles as in some other countries against frozen products. What does he think about it?

"It is true that there is still this prejudice in our country, especially since we have always been used to consuming fresh fish. But in my opinion the present trend shows that the prejudice is starting to disappear."

This view is also shared by Bernard Kadda, SEYCOM export manager.

"The fish sold at SEYCOM has no parasites in it. It meets health and hygiene requirements, which is not often the case with fish sold elsewhere," he says.

As to the widely-held prejudice that frozen fish loses a little of its flavor, Mr Kadda is categorical: "That is not true!" It has been proven all over the world that freezing has no effect on the flavor of fish, he says.

Exports

With respect to exporting Seychellois fish, Mr Kadda informed us that for the present this activity is limited to a few destinations, in particular Reunion, France, Belgium, and Australia.

At the moment, unfortunately, Mr Kadda states, we are a long way from meeting demand from numbers of customers emerging on all sides, because the supply is still inadequate.

There is also, the export official specified, the problem of extremely costly air transportation for fresh fish, which limits what we can do. That, he stressed, is why Reunion is our main market at present.

Fish is sold in two forms: fresh and frozen. Fresh fish (bourgeois, maconde, flat wrasse, red mullet, etc) is supplied on a weekly basis. The volume of fresh fish exported by air to Reunion, France, and Belgium is 3 tons a week.

Every month, 40 tons of frozen fish is sent by sea to Reunion, Australia, and France. Tuna is of course sent in addition to all the above varieties of fish.

Expansion of the Fishing Industry

In Mr Kadda's opinion, there really do exist vast opportunities for expanding the fishing industry, not only to meet the domestic demand, but also for the foreign market, which indubitably represents a significant source of revenues.

However, he feels, the problems of infrastructure, transportation, training, lowering the average age of the fishermen, would all have to be solved, and not only that, but also, Mr Kadda makes a point of stressing, a major issue should not be overlooked -- that of competence and productivity.

With better management of production, Mr Kadda concludes, and a more highly developed professional and political awareness among certain people, the present resources would already give much more satisfactory results.

12149
CSO: 5200/5633

EDITORIAL VIEWS ISSUES OF LAST LOS SESSION

Brussels LA LIBRE BELGIQUE in French 8 Mar 82 p 2

[Editorial: "Law of the Sea: the Last Round"]

[Text] The delegates of 150 countries will meet in New York this Monday evening to begin what could be the last round of the interminable United Nations Conference on the Law of the Sea. The first session took place in 1974! And after quibbling and hair-splitting for 85 weeks of official proceedings and behind-the-scenes talks, the delegations now have a "draft treaty" comprising no less than 320 articles, with 8 appendixes that have an additional 120 articles.

As of this Monday, it is likely that the delegations will get into the heart of the matter, for they also have a 43-page American document that presents in detail all the complaints that the Reagan administration presents against the draft treaty as well as the solutions that it proposes.

It is in fact essentially on the problem of exploitation of the deep ocean bottoms that there is a risk of confrontation between the Americans, on the one hand--though they will doubtlessly be supported by the industrialized Western countries--and the developing countries. The ocean bottoms hold polymetallic "nodules," composed mainly of copper, nickel, chrome, cobalt and manganese, the commercial value of which is estimated at billions of dollars, though it is not entirely certain that such fabulous sums could be gained from mining of them.

Only a few Western firms are in a position, by reason of their advanced technological position, to mine the deep bottoms, though the necessary technique still has not been completely perfected. In view of this situation, the developing countries obviously fear they will witness an abrupt drop in the prices for their raw materials if, with the mining of the oceans, there comes to be an oversupply on the market. They also fear that since the technology is in the hands of the Westerners, they will nail down these new resources, thus making the poorest even poorer.

In response to these anxieties, the industrialized countries agreed quite quickly that the resources of the ocean bottoms would be considered part of the "common patrimony of mankind." This amounted to accepting, at the outset, the principle of a sharing.

The discussion grew bitter when the developing countries demanded the creation of a high authority that would have complete control over the mining of the deep ocean bottoms, it being understood that the Westerners would have to furnish the technology and also transmit it to eventual candidates, while at the same time providing the financing for the operations.

The Western countries were on the point of accepting a gentleman's agreement, subject to a few guarantees, when Mr Reagan's election to the White House upset everything. The new American chief executive, faithful to "free enterprise," rejected the proposed ocean-bottoms authority outright, making it clear that whatever might happen, the other countries would be hard-put to prevent certain American companies--in which there is some sizable participatory interest (belgian)--from launching into mining of the nodules. Furthermore, if an authority were to be set up, it would be out of the question, as far as President Reagan is concerned, for the United States not to have a right of veto in it.

These are the ideas that the Americans are now going to defend, and while it is announced officially that the present session is to be the last one, there is nothing to say that the 150 countries will finally manage to come to an understanding. In the absence of overall agreement, it would doubtlessly be possible to agree on a number of chapters of the draft treaty. That would constitute the birth of a new law of the sea, improved but incomplete.

Furthermore, an agreement is all the more problematic now that--since the Conference has dragged on for so long--polymetallic sulfur deposits that could make mining of the famous nodules less attractive have now been discovered, in addition to the nodules. The discovery of these polymetallic sulfurs could diminish the developing countries' enthusiasm for mining of the deep ocean bottoms common to all of "mankind": these sulfurs are close to the coasts of certain underdeveloped countries, and they do not risk entering into the great planetary patrimony.

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CSO: 5200

NORWAY ACTIVE IN SEARCH FOR COMPROMISE AT LOS CONFERENCE

Oslo AFTENPOSTEN in Norwegian 19 Mar 82 p 12

[Article: "Norway Active in Law of the Sea Compromise"]

[Text] "The Law of the Sea Conference in New York is in a critical final phase where, unfortunately, a showdown vote on a Law of the Sea Convention is possible. The Norwegian delegation has been instructed to make an active attempt to reach compromises," cabinet minister Eivinn Berg of the Foreign Ministry told AFTENPOSTEN.

Partial implementation of a Law of the Sea Convention would create more problems than it would solve. In addition, it would be a poor foundation for any future continuation of negotiations on a Law of the Sea Convention acceptable to all, according to Berg.

"The Norwegian delegation has not refused to discuss the new American proposal that has been made. We want a Law of the Sea Convention with the broadest possible support," Berg said.

Developing countries, especially, have sharply criticized the American proposal concerning important sections of the convention text. In addition, this proposal was presented at an extremely late date, since the conference is to be concluded next week. For this reason, the final spurt in the Law of the Sea Conference is much more hectic than it reasonably should be, especially since discussions have been held for 8 years.

The United States is not alone in its proposed changes on central points of the text. Several large, prominent industrial countries sympathize with the Americans with regard to law of the sea regulations and operations on the ocean bed, among other things.

If the American initiative should lead to a breakdown in the negotiations, it could create new hostility between north and south, between industrialized countries and developing countries, cabinet minister Berg said. "It may become even more difficult to establish global negotiations on the relationship between north and south, since an unsuccessful Law of the Sea Conference would underscore the negative aspects of relations between industrialized countries and developing countries."

"On this background, the Norwegian delegation has clear instructions to participate actively in the final phase of negotiations to secure agreement on the convention text with the participation of the United States and other industrialized countries."

Berg stressed that it was natural for Norway to work actively within the group of Western industrialized nations to achieve compromise texts that could receive broad international support. He pointed out in this connection that Norway was extremely interested in establishing the principle of a 200-mile economic zone in international law and in maintaining the interests of Norwegian shipping and activity on the continental shelf.

Cabinet minister Eivinn Berg did not wish to comment on the contents of the compromise proposal presented last Thursday, since the conference now is in a critical phase.

"At present it is difficult to say where Norway would stand in a possible showdown vote," he said.

9336
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FISHERIES MINISTER THOR LISTAU COMMENTS ON POLICIES

Oslo AFTENPOSTEN in Norwegian 16 Jan 82 p 7

[Interview with Thor Listau by Rie Bistrup]

> [Text] Prime minister? Full of responsibilities, demanding.
> Finance minister? Almost hopeless.
> Fisheries minister? No, God forbid. There are fisheries boundaries and the mesh size of nets, cod wars, capelin and herring. Independent gangs of fishermen and the fat-herring fishermen.
>
> If there is not a ban on fishing one place, there is a ban on deliveries at another. And if it is not the Barents Sea it is Iceland or the EC and Danish drift nets for salmon.
>
> Fishing in Norway is district policy with settlement and bringing ashore, self-sufficiency and preparedness. Dried fish and "lutefisk," split salt cod and live fish. Haddock and pollack and rose fish and mackerel.

There are few things that cause as much commotion in parliament as fish. Perhaps milk production or grain subsidies. Both have to do with subsistence and the basic economy. And with *votes*. Each party has its agriculture and fisheries policy. Even the Single-Tax Party, which wants to stop herring fishing and goat's milk.

The present government, coming from the Conservative Party, put a fresh young man from Finnmark in this ticklish position. For of course he had to be from the most northerly part of the country. That is where the action is. In West, South, and East Norway there are only small cod, anchovies, and some jig fishing. It is northward we must go. With Thor Listau.

But Listau could not be gotten by hook or crook to go along for lutefisk at Engebret or on Bergen fish days at Holder Danske's on Grand. The minister of fisheries wanted to go home to his mother's meatballs. He lives in Bærum, on neighborly terms with Trade Minister Arne Skauge, with whom he carpools to the city every morning at 7:25. The ministers of trade and fisheries are *energy conservers*.

Anyway, "Savings '82" is not just Finance Minister Presthus's slogan. When Kåre Willoch sent out invitations to a New Year's party for members of the government, the invitations read "in keeping with the spirit of prudence that characterizes the Conservative government, payment will be required for spouses."

Listau took along his wife Torunn, whom he met when he was stationed with the brigade at Heggelia (Bardufoss). He was elected to the Storting in 1973, where he did not cause much commotion. He was thorough in his committee work (the fisheries committee) and read out his reports without making great waves.

But just look at how the electrician has blossomed out. He frees himself from his notes on TV, and he is marked by outspoken frankness when it comes to selling his opinions. One might think the minister had taken Erling Norvik's charm course.

There was practically a hurricane-like opening for the minister of fisheries at New Year's. But he is holding a steady course in a wave of accusations that there are just as many restrictions and regulations in the fisheries industry since the Conservative Party came into power as before. Listau's comment is clear enough: "Regulations in fisheries are necessary with a view to the future of the industry." But it is obvious that you do not become popular among fishermen by defending such a viewpoint.

The Ministry of Fisheries is located in the Handelsbygning (= Trade Building) on the Drammensvei. It is our smallest ministry, with 70 employees. Nobody will accuse Listau or any of his predecessors of putting on the dog. The furnishings in the minister's office are postwar products worn with steady use. Two small pictures hang on the wall. The best that can be said of those works of art is that the subject matter is the sea and boats. Is it only the minister of culture that gets to provide himself with art treasures from the shops of the National Gallery?

It is 4:00 p.m. A (female) secretary knocks to offer coffee and say good night. The labor laws do not apply to bosses, and if the minister is to clear out the big pile of requests for concessions and industrial refinancing, he must keep on until midnight.

[Question] There should be a couch here so that you could stretch out and take a catnap.

[Answer] I have asked for a sofa on various different-colored papers. And gotten approval for a piece of furniture. I will bring in a slip cover from home.

[Question] And the blue serge suit is hanging ready in the closet?

[Answer] No, I keep it at home and wear it on the job on Friday when we are to have a cabinet meeting at the Castle. But now my wife is insisting that I get a new blue serge suit. The old one is well worn and shiny on the seat.

[Question] The Conservative Party campaigned on a promise that there would be an end to the many unnecessary regulations, and one of the first things you do is to prohibit catching Norwegian arctic cod in the waters north of the 62nd parallel. The fishermen must feel that as a broken promise, must they not?

[Answer] I did not approach these regulations with a light heart. And I am not a dictator, either.

The fishermen's organizations have played an active part in connection with the discussions of the regulative measures. All points of view were presented before I made the final decision.

[Question] And you did not get a thick ear as a reminder from the fishermen?

[Answer] No, the fishermen are solid types. They are quick to anger. But then it is soon forgotten. And there is no point in arguing about who is at fault in a troublesome situation. In the middle of the 1970's trawling, especially by foreign trawlers, made deep inroads in the stock of fish. The spawning stock today is only a third of what it was 10 years ago.

[Question] You are an electrician, a line that is not closely enough related to fishing to bother about. Have you any grassroots contact with the industry?

[Answer] I was born and brought up in a fish products concern in Svolvær.

As a boy I was with my father on the dock, and often had to help out with sorting and filleting.

Haddock is best for fish products, do not forget that. (He smiles goodnaturedly.)

I have fried fish cakes until the smell spread all over the Vestfjordgate. And I have been the youngest hand on a fishing trip. That is drudgery, but for me it glows in a fairytale light. I was in that position when the fishermen could talk about the big catch. There was celebration and rejoicing. But I can also remember dark days. Storms and gales. Time ashore because the weather did not permit going out. Squabbling. Frustration.

[Question] So the young Listau did not let himself be lured to the sea?

[Answer] (He shakes his head and rolls a cigarette with practiced fingers.) No, I left home when I was 15 years old. For Lillehammer, where I started at the Army's vocational school for communications personnel. Four years in school and 3 years' compulsory military service. Before that I had only had elementary school and "continuation" school. But I have had a number of courses over the years, both in Norway and in the United States.

[Question] When did the politician awaken?

[Answer] The party politician became conscious in 1964. We were living in Kirkenes, and I read in the paper that the Young Conservatives were calling a meeting. Before that I had taken a small part in union affairs in the Government Employees' Union. Well, there was talk about how to reorganize a rather tired, sleepy union, and I impulsively took the floor.

[Question] And since then you have kept at it?

[Answer] Now, you said that. But I did join the Young Conservatives, and grew up to the Conservative Party, and then there was the board of education, municipal government, and party chairmanship...

(He adjusts the knot of his tie like a lecturer about to step up on the platform. The tie is dark blue with the Norwegian flag and fish, the emblem of the Fresh Fish Exporters.)

On his lapel is the Walrus Order of Alaska, a match to the one Herbjørn Sørebø fooled all Norway with. He has put out and relighted the roll-your-own cigarette four times. The minister of fisheries carries economizing so far that even Willoch would be satisfied.

[Question] You even economize on temperament, Listau. You are not a typical example of the North Norwegian disposition, are you?

[Answer] I do not rattle on, talking in season and out of season. But I realize that this can be a drawback in politics. It is better to be loquacious there. I kept a low profile all those years in the Storting. Now I see the necessity of leading out a little more. You must have media appeal. I would rather jump out into the deep water and practice up for a short, pointed speech.

You can make people see the point without using too many words. It is no qualification for a politician to be boring.

[Question] You have 2 minutes to tell about our new national fish: capelin and cod *[Gadus poutassou]*.

[Answer] Hey, hey. (Listau half rises from his chair and tugs at his waistband. In any case he has not put on weight during his time in the Ministry of Fisheries.) I must get hold of Trond. (He picks up the telephone. Turned toward me.)

Trond is my information consultant. Labor Party man. I inherited him. A splendid fellow.

(Trond, surnamed Wold, turns up with a wall chart "Freshwater Fish in Color." We do not find capelin, but the coalmouth *[Gadus poutassou]* is there, and, for those who are not familiar with it, the coalmouth is a kind of cod that got its name from the fact that the inside of its mouth and gill slits is black.)

But I have eaten capelin. (Triumphantly.) It tastes like herring, but it does not smell so strong when you are frying it. Japan is our biggest customer for capelin. They eat it salted and dried, and believe that it contributes to potency. Just like reindeer horn. Hence ground reindeer horn. That has been a little food additive, too.

[Question] Capelin roe has also been popularized. You should have had a refrigerator full of samples.

(Listau does not have to answer. The tireless information consultant is back, loaded to the gunwales with information about the capelin. Which is a type of salmon. Elongated and silvery. The male attains 15 to 20 cm. Pelagic shoal fish. Down to 150 meters deep in the daytime. At the surface at night.)

[Question] Vladimir Kamentsev, the Russian minister of fisheries, is coming on an official visit. What have you thought of serving up to get him started?

[Answer] Lutefisk with pea soup and bacon fat. We shall also go to Lofoten, and there we shall have "skrei i mølje," i.e. cod, liver, and roe. We will not skimp on the refreshments. But there will be hard negotiations. It is a matter of the resource situation, larger fishnet meshes for fishing in the Barents Sea, and a bigger capelin quota for Norwegian purse seiners.

[Question] Yes, now you will have to tighten up, for as minister of fisheries you are not satisfied with the fisheries balance between Norway and the EC, either, are you?

[Answer] No, the value of the fish that the EC takes in the Norwegian zone is higher than the catch Norwegian fishermen make in the EC seas. If this takes on serious dimensions, we must resort to countermeasures to cut down the EC's quotas in the Barents Sea. [redacted] But in any case we have managed for a certain quantity of Greenland shrimp. They are frozen on the spot and are marvelous. Pour boiling water over them, and in a few minutes they are ready to eat. The white wine should be cold.

...

At the thought of shrimp and white wine it occurs to Listau that his wife should be informed that he will be snowbound at the office. A short, pithy phone call. But at home at Østerås his wife Torunn, who works outdoors, and three young Listaus (21, 19, and 9 years old) are accustomed to wait for father, wait for father...

"But on the week ends we are together," says Listau, a little apologetically. "It even happens sometimes that I get out the guitar, but the children prefer television."

[Question] And on Sundays you go out and spoon for cod?

[Answer] No, we still have that to look forward to. And I have no recipe for fish soup to give you, either. I believe my wife uses left-over soup and freshens it up with a little stock and perhaps fish balls.

...

But shrimp and wine undeniably sounded like more fun to the minister of fisheries just then.

8815
CSO: 5200/2057

BRIEFS

ARCTIC COD STOCKS ENDANGERED--A survey of Norwegian Arctic cod stocks shows that this cod species is in a precarious situation. Each year after 1975 has produced stocks considerably below the average size, according to the stock survey for 1982 by the Marine Research Institute. An annual quota of 300,000 tons seems to be the maximum these stocks can bear over the next 5 years, research director Arvid Hylen told LOFOTPOSTEN. [Text] [Oslo AFTENPOSTEN in Norwegian 22 Mar 82 p 26] 9336

CSO: 5200/2060

PAPER BACKS LOS CONVENTION, WITH SOME MODIFICATION

Stockholm DAGENS NYHETER IN Swedish 8 Mar 82 p 2

[Editorial: "Power Over World Inheritance"]

[Text] For the most part, the migration of man throughout the world has been a history of the right of the strong--the freedom of powerful nations and civilizations to acquire land, people, and raw materials as best they can.

Only in the most recent phase of human history have the rights of small and weak nations been raised as the international standard, if not yet the law. The primary instrument of this development is the United Nations. The new standard has been made manifest primarily in the former colonial world, with about 100 young nations that have achieved equality in international law.

The epoch-making aspect of the United Nations Law of the Sea Congress, which meets today in New York for a "decisive" session, is its goal of checking colonial ambitions before they become reality. The deep-water ocean bed is the only remaining area of the earth that has not been exploited. In this area, equality among nations will reign from the very beginning and the freedom of strong nations to help themselves will be declared invalid. The seas of the world will be the "common inheritance of humanity."

At least this is the idea behind the international law of the sea convention, the draft of which is almost complete.

Much has been achieved already since law of the sea negotiations began in Caracas in 1974: the expansion of territorial waters from 3 to 12 nautical miles, general regulations for the economic zones of coastal states within 200 nautical miles, passage through international sounds, marine environmental protection, ocean research, etc. Agreement in principle cannot always solve concrete problems, as witnessed by the territorial boundary disputes between Norway and Sweden on the one hand and the Soviet Union on the other.

The most serious obstacle at the Law of the Sea Congress has to do with valuable resources on the ocean bed in deep water. Early last year just over 150 participating nations agreed to establish an international "Law of the Sea Council" (in Jamaca) to manage and--through a special "company"--extract some of the enormous mineral reserves from the ocean bed.

Based on the principle that the wealth of the sea should belong to all humanity, it was decided that the "Law of the Sea Council" would grant licenses and set production ceilings for private, multinational mining companies for one half of each accessible region on the ocean bed. The other half would be exploited by the "company" with the help of taxes and the gratis transfer of technology from the private companies and their home countries.

The overly politicized and complicated procedures of the "Law of the Sea Council" have been severely criticized. The same voting strength for all United Nations members and politically elected delegates in executive organs hardly guarantee rational economic considerations or sound production decisions. The entire inflammatory debate over a New Global Economic Order has weighed heavy over the Law of the Sea Conference and for once it seemed that the wishes of developing countries would triumph.

Thus, the fact that for about 1 year the United States has demanded sweeping changes in the convention has been seen by some to jeopardize 8 years of global negotiations. The United States rejects the draft agreement on a number of crucial points: the distribution of votes in the "Law of the Sea Council," the right of the council to establish production ceilings, gratis transfer of technology to the "company," etc.

In addition the United States, along with France, England, and West Germany, have passed or proposed legislation that would permit "national mining companies" to extract minerals from the ocean bed even before the law of the sea convention takes effect. Strong rumors indicate that these countries, along with Belgium, Holland, and Italy, have been consulting quietly among themselves to establish a "mini-convention" for the ocean bed if the United Nations conference fails to reach an agreement.

If these rumors are true, it is possible that the right of the strong will continue to rule over the seas.

But the extraction of minerals from the ocean bed involves economic and physical risks of previously unknown proportions. Not even the strongest maritime nations can use can use their warships to guarantee the safety of such multinational production projects against the majority of nations in the world. One may compare this to the vulnerability of the oil supply from the Persian Gulf.

The private, multinational mineral syndicates are aware of this fact. Paradoxically, this insight may provide the key to a compromise with the weaker and geographically handicapped states at the Law of the Sea Conference--if the latter drop some of their less significant demands.

All nations would be best served by a reasonably just, but workable set of regulations for exploiting the ocean bed. Without a legal system acceptable to all the small nations will lose, but the strong ones probably will not win.

With some modification, the United Nations Law of the Sea Convention is not merely fair and just, it is also realistic and necessary.

9336
CSO: 5200/2045

END

JPRS 80634

22 April 1982

Worldwide Report

LAW OF THE SEA

No. 193

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WORLDWIDE REPORT

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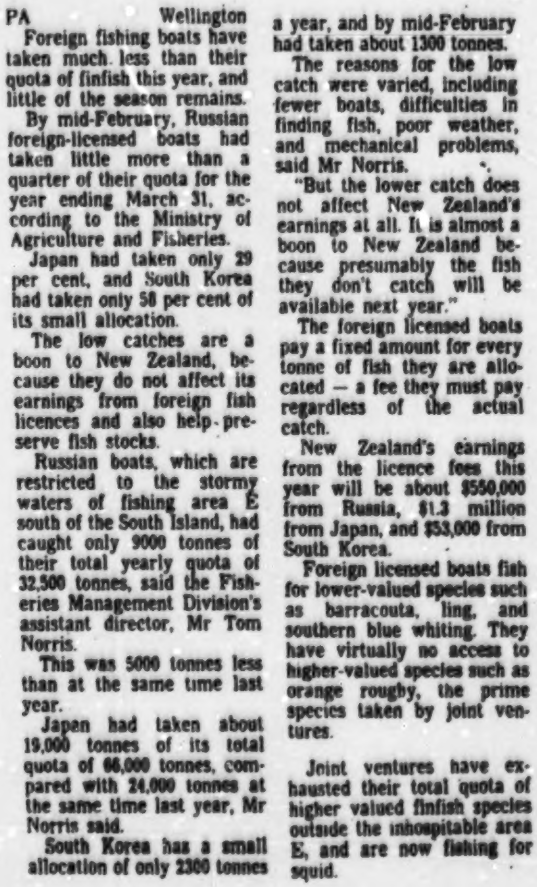
FOREIGN BOATS NOT FILLING NEW ZEALAND FINFISH QUOTAS

Christchurch THE PRESS in English 3 Mar 82 p 5

[Text]



PA Wellington

Foreign fishing boats have taken much less than their quota of finfish this year, and little of the season remains.

By mid-February, Russian foreign-licensed boats had taken little more than a quarter of their quota for the year ending March 31, according to the Ministry of Agriculture and Fisheries.

Japan had taken only 29 per cent, and South Korea had taken only 58 per cent of its small allocation.

The low catches are a boon to New Zealand, because they do not affect its earnings from foreign fish licences and also help preserve fish stocks.

Russian boats, which are restricted to the stormy waters of fishing area E south of the South Island, had caught only 9000 tonnes of their total yearly quota of 32,500 tonnes, said the Fisheries Management Division's assistant director, Mr Tom Norris.

This was 5000 tonnes less than at the same time last year.

Japan had taken about 19,000 tonnes of its total quota of 66,000 tonnes, compared with 24,000 tonnes at the same time last year, Mr Norris said.

South Korea has a small allocation of only 2300 tonnes a year, and by mid-February had taken about 1300 tonnes.

The reasons for the low catch were varied, including fewer boats, difficulties in finding fish, poor weather, and mechanical problems, said Mr Norris.

"But the lower catch does not affect New Zealand's earnings at all. It is almost a boon to New Zealand because presumably the fish they don't catch will be available next year."

The foreign licensed boats pay a fixed amount for every tonne of fish they are allocated — a fee they must pay regardless of the actual catch.

New Zealand's earnings from the licence fees this year will be about $550,000 from Russia, $1.3 million from Japan, and $53,000 from South Korea.

Foreign licensed boats fish for lower-valued species such as barracouta, ling, and southern blue whiting. They have virtually no access to higher-valued species such as orange roughy, the prime species taken by joint ventures.

Joint ventures have exhausted their total quota of higher valued finfish species outside the inhospitable area E, and are now fishing for squid.

CSO: 5200/9086

SEMINAR CALLS FOR EXPLOITATION OF SEA RESOURCES

Dacca THE BANGLADESH OBSERVER in English 12 Mar 82 pp 1, 12

[Text] The two-day national seminar on marine fisheries development in Bangladesh concluded in Dacca on Thursday with a number of recommendations to exploit the sea resources to the maximum level, reports BSS.

Spread over four technical sessions, the two-day seminar recommended for doubling the present production without depleting the stock.

It also emphasised for more intensive survey particularly pelagic resources as well as other non-conventional varieties like deep sea lobsters, deep sea shrimps, squids and cuttle-fishes. The seminar besides other recommendations, suggested for giving preference to joint venture programmes for exploitation and utilisation of varieties other than coastal marine shrimps, keeping in mind the national interest.

This would bring in quick transfer of technologies in exploitation and utilisation of pelagic fish resources and non-conventional items, the seminar suggested.

Addressing the afternoon session on Thursday, State Minister for Forests, Fisheries and Livestock Mr Amirul Islam Kaiam, said that a scheme had been undertaken to bring one lakh acres of land in coastal belt under shrimp cultivation.

He called upon the scientists and experts to find out ways and means to exploit the fish resources of the Bay of Bengal and utilise them for development of the national economy. Mr Kalam also cautioned the concerned agencies not to go for over-fishing which might damage the existing fishing grounds.

The concluding session was presided over by Mr M.E. Anwar, Secretary, Ministry of Forests, Fisheries and Livestock.

The seminar also suggested moderate expansion of trawler fleet to a level of approximately double the present harvest, further introduction of trawlers and fishing boats, diversification of fishing technology both in small scale and deep-sea fishing and standardisation of existing trawlers.

It also emphasised the demarcation of fishing zone between small-scale and deep-sea operation.

CSO: 5000/7032

PLANS TO INCREASE SEA FISH CATCH LAUDED

Calcutta THE SUNDAY STATESMAN in English 14 Mar 82 p 6

[Editorial]

[Text] The plans reportedly prepared by the Central Marine Fisheries Research Institute to increase the country's sea fish catch from the present 1.4 million tons to 3.5 million tons by the end of the Sixth Plan are welcome at a time when the fishing industry is in the doldrums. The enthusiasm noticeable five or six years ago seems to have waned. A spokesman of the Association of Indian Fishery Industries, mainly representing large commercial houses, recently complained that they were unable to compete in the world market because of two factors: a steep rise in operating costs because of increasing diesel prices and stagnation in the prices of shrimps, which account for 87% of the earnings from fish exports. The rise in the cost of trawlers from Rs 45 lakhs two years ago to about Rs 70 lakhs now has also inhibited the entrepreneurs. There is said to have been no investment in recent years, and several well-known companies have opted out of the enterprise. To make things worse, shrimp catches have fallen, apparently because of wrong fishing methods. The practice of dragging heavy weights along the seabed to force prawns out of their natural habitat may lead to a temporary increase in catches, but the yield, it is said, would ultimately fall because of indiscriminate destruction of breeding grounds. This is reported to have happened in seas near Thailand, which perhaps explains why Thai trawlers are being increasingly found poaching in the Bay of Bengal.

The decline in shrimp catches in Indian waters have forced seagoing trawlers to turn more and more to the traditional fishing grounds of smaller fishermen, often provoking unpleasant skirmishes. It has been suggested that the bigger operators should be diverted from shrimps to other varieties of fish; but enough trawlers are not available for exploration, nor is enough known about new fishing grounds to encourage such ventures. In fact, 20 new trawlers being imported are only suitable for catching shrimps. The country has now a total of only 57 trawlers against 7,000 in Taiwan and nearly twice that number in Japan. Of these 57, only seven are said to be capable of deep sea fishing; the others tend to stay close to the coast. Various measures, like soft loans to encourage entrepreneurs, have been proposed, while the Fisheries Research Institute has drawn up plans to help small fishermen buy boats or modernize them. The latter emphasis, of course, is not misplaced, because it is the six million fishermen using traditional catamarans as well as mechanized boats who account for nearly 65% of the catches. Yet most of them live in poverty and at the mercy of middlemen.

CSO: 5200/7031

BRIEFS

TANKER FOR SMUGGLING SEIZED--The Indonesian customs and excise patrol boat 3007 this morning intercepted a 1,000-ton tanker flying the Panamanian flag which was about to unload smuggled goods worth nearly 1 billion rupiah north of Merak [West Java]. The tanker was sailing slowly at dawn off (Tanggalan) Cape, North Merak, thus attracting the attention of the customs patrol boat, which left Tanjungpriok Port, Jakarta, yesterday on patrol duty. After investigating the tanker's documents, it was found that the tanker had no permit to enter Indonesian waters. The documents only showed that the tanker, which came from Singapore, was to head for Miri in Sarawak. The director general of the customs and excise service this afternoon ordered the commander of the Indonesian customs and excise patrol unit to tow the tanker to Tanjungpriok Port. [Text] [BK280408 Jakarta Domestic Service in Indonesian 1200 GMT 27 Mar 82]

CSO: 5200/5644

LAW OF SEA DEVELOPMENTS ASSESSED

Criticism of U.S. Position

Warsaw TRYBUNA LUDU in Polish 9 Mar 82 p 6

[Interview with Prof Dr J. Symonides, director of the Polish Institute of International Affairs; date and place not specified]

> [Text] The 11th Session of the Third Conference of the Law of the Sea was convened in New York on 8 March. Enduring since 1973, the work of the conference was supposed to be completed last year at the 10th Session in Geneva. The formal signing of the Convention of the Law of the Sea is supposed to take place in Caracas in September of this year. A representative of TRYBUNA LUDU asks Prof Dr J. Symonides, who participated in the work of the conference on behalf of Poland, a number of pertinent questions.

[Question] Why has the conference lasted so long?

[Answer] According to the definitive program prepared during the 10th Session, the next session--the 11th--is supposed to be the last one. It is assumed that the conference will be in session from 8 March to 30 April in accordance with the detail five-stage program which is supposed to lead to the acceptance of the convention. In principle, all the important issues which were the subject of negotiations at the Third Conference of the Law of the Sea were resolved. Only two matters remain unresolved: the question of the participation of international organizations and national liberation movements in the coming convention, and the question of the preparatory commission which is supposed to make preparations to initiate work on the future Organization for the Seabed when the conference is finished.

The question of the participation of international organizations does not evoke great reservations. However, many differences of opinions of a political nature crop up concerning the participation in the convention of national liberation movements. The developing countries (the so-called Group of 77), which represent a decisive majority of the conference attendees (over 120) and the socialist countries support the solution anticipating the participation of the national liberation movements, but the Western countries, especially the United States, as indicated in information published in the American press at the end of January, are registering reservations against such a possibility. Editorial work on the text of the convention is a completely separate issue and remains unfinished.

The most important question, however, which can have a bearing on the results of the 11th Session, is the attitude of the United States toward the results to date of the Third Conference of the Law of the Sea. In 1981, the American administration reviewed its previous approach to the fundamental and already agreed to portions of the draft convention concerning the principles of exploiting seabeds beyond national boundaries of jurisdiction. Thus, the concern here is about those seabed regions that represent the so-called common heritage of mankind. Washington has stipulated that the convention would not be ratified by the Senate if the accepted system of exploitation and research as well as resolutions concerning the structure and system of voting in the future Organization for the Seabed endanger the parochial interests of the United States. Among other things, the concern here is about establishing production limits, about obligatory transfer of technology, and that greater exploitation authorization and facilitation are assumed for enterprises of the Organization for the Seabed as opposed to private American and other firms. The United States argues that this will impact economic results and competition and at the same time discourage private capital from investing.

As a sideline to the entire package of American reservations, it should be stated that up to now the American delegation not only participated in working out all solutions but many of them were placed into practice simply on its initiatives. These solutions do not represent propositions of a single group of nations. At least some of them are unsatisfactory to the developing countries, in many instances this also concerns the socialist countries.

However, the assumption was accepted that all of these controversial and complicated questions concerning the seabed, navigation, the continental shelf, investigating and protecting the sea environment, and so forth can be resolved by compromise but only within the framework of the so-called package. The issuance of reservation in the final stage of the conference was received with much criticism by a vast majority of the conference attendees, which they already expressed at the 10th Session. Among other things, it was considered to be disdainful of international society and its interests, that it violated good negotiation practices, especially the principle of devolution in international negotiations. If the United States submits too many amendments that are far-reaching, then their thorough negotiation at the 11th session can turn out to be unrealistic. In this situation, the international community will be confronted with the problem of deciding whether to accept the convention without the participation of the United States. This will have a definite negative effect on international cooperation, but it is possible that no other solution will be possible.

[Question] What role is being played by the socialist countries, including Poland, in the conference? What is their position?

[Answer] The socialist countries are active advocates for finishing the work and accepting the convention by way of consensus. This has been their position for a long time. At the 10th Session, our countries consistently collaborated with the Group of 77; unfortunately we were unable to achieve our goal.

The socialist countries have taken the position that the many complicated questions concerning the principles and means of using the oceans and seas can be settled only by way of compromises which take into account the interests of the entire international community. Thus they have supported and put forward many compromise proposals for resolving the problems associated with the future Organization for the Seabed. They also emphasize the great importance of mandatory freedom of navigation in the new Law of the Sea. The socialist countries consistently emphasize the significance of accepting the Convention of the Law of the Sea without which the World Ocean can become an arena of confrontation, conflicts and unilateral claims.

[Question] How can one evaluate the revocation of Poland's permit to fish in the economic zone of the United States in the context of the draft convention of the Law of the Sea?

[Answer] Concerning the question of access to the live resources of an economic zone, it should be stated that the convention acknowledges the right of a coastal state to regulate these resources. If, however, a so-called surplus exists in an economic zone because the coastal country does not harvest the quota of fish that could be harvested without damaging the so-called schools of fish, then that quota should be made available to other countries. The convention emphasizes very clearly the obligation of making this quota available to other countries.

Regarding the question as to who can claim a portion of this surplus, Article 62 of the draft convention states that a coastal country should consider the necessity of lessening the negative economic effects for those countries who traditionally fished in these regions and who contributed important work in investigating and identifying resources. Poland fulfills these requirements.

A second consideration by which coastal countries should be guided results from Article 70 of the convention. The convention anticipates that "a nation having a geographically disadvantageous location" has a specific right to participate in the exploitation of appropriate portions of a surplus. Poland is such a country because we cannot establish a full 200-mile economic zone in the Baltic Sea, and our geographical location means that satisfying the food needs of our people requires access to the economic zones of other nations. Thus in the light of the provisions of the draft convention, Washington's decision to revoke our fishing agreement violates our justified claims based on two rights. Without a basic change of circumstances from the viewpoint of international law, it thus represents a unilateral abbrogation of the agreement to make quotas available.

Economic Consequences

Warsaw GOSPODARKA PLANOWA in Polish No 10, Oct 81 pp 477-478

[Article by Leszek Sobczak: "The Economic Consequences of the New Convention on the Law of the Sea"]

[Text] The Third Conference of the Law of the Sea has been laboring for the past 7 years (with some breaks) to create a new legal order on the seas. The fruit of their labors is the unofficial draft convention on the Law of the Sea which will probably undergo very little change during the course of forthcoming negotiations.

In evaluating the results to date of the above conference, which were presented in the 1980 UN Activities Report, Secretary General Kurt Waldheim stated that they were the most significant international achievement since the UN Charter was ratified, and he expressed the hope that the convention would be ratified in 1981.

In conjunction with this the question arises: What will change the new convention on the Law of the Sea? Above all, our national interests concern the resolutions about navigation and fishing. These two areas, though they differ significantly, were unexpectedly linked with the claims of coastal states to have exclusive rights to exploit the resources of the seas.

After World War II, some Latin American countries began to claim a 200-mile territorial sea. In truth, however, these claims were not recognized by other countries, but the emergence of the idea of yielding to coastal states sovereignty over a 200-mile sea zone was the spark that did not die out but smouldered for a long time, bursting into flames in the 1970s. Other nations, who freed themselves from colonial rule and who wanted to liberate themselves as quickly as possible from poverty and backwardness, took up the idea. As one of the possible ways of accelerating their development, they claimed the resources of the seas bordering their shores, and not only within the narrow 3-, 6-, or even 12-mile sea zones.

During the 1971-1972 period, the African countries demanded that their rights to live and mineral resources in the 200-mile economic zone be recognized. At the same time the countries of the Caribbean Sea Basin passed a declaration calling for the establishment of a 200-mile patrimonial sea zone.

These new demands were a real shock to those who were accustomed to the traditional principles of international law according to which neither territorial seas nor an exclusive fishing zone can extend beyond 12 nautical miles from a shore. Beyond such a territorial sea, the open sea unfurls to everyone.

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1. Based on the draft convention on the Law of the Sea and other published materials from the 10 sessions to date of the Third Conference of the Law of the Sea.

A territorial sea is a part of the territory of a coastal state. Foreign ships are entitled only to the right of safe passage. Many countries, including Poland, do not recognize such a right to warships. Foreign aircraft cannot fly over territorial seas without the approval of the coastal state. In this area, there is no freedom to fish or conduct scientific research.

A real fear existed that unless an agreement were reached regulating economic zones, then they would be established in the form of territorial seas. The acceptance of this alternative would be a mortal blow to international navigation, especially since, at the same time, attempts are being made, under the pretext of protecting the environment, to impose on foreign ships unilateral requirements concerning the construction of ships, their equipment and crews.

In this complicated situation, the Third Conference of the Law of the Sea was called to find a reasonable compromise.

From the very start, the conference took place in an atmosphere of dogged combat among the so-called territorialists who wanted to expand territorial seas to 200 nautical miles, and the remaining countries who agreed to recognize economic zones under certain conditions; they vigorously defended the freedom of navigation. The Polish delegation defended our national interests and the realistic needs of the entire international community.

During the initial phase of the conference some developing countries were not aware of the relationship existing between the freedom of navigation and their own economic development. As is known, no nation can manage without international trade, and to a great extent this trade depends on the transport of goods on seas.[2]

During the course of many years of arduous negotiations, arguments and consistent convictions, the freedom of navigation remained intact. It can be said without any exaggeration that this is an historic victory for the entire international community to which the Polish delegation also contributed.

The rules limiting territorial seas to 12 miles were accepted. The right of all boats, ships and aircraft to unconstrained passage through a strait serving international navigation was guaranteed. The freedom of passage through the waters of archipelago states was also assured, making it possible for Polish ships to continue to sail without interference, for example, through the waters of Indonesia. The legal status of an economic zone was framed in such a way so as not to limit freedom of navigation.

An economic zone does not represent territorial waters of a country, but it is an area of open sea up to 200 miles wide on which a coastal state is entitled to exclusive fishing and certain other narrowly defined rights. Foreign nations can continue to take advantage of the freedom of navigation and flight, and the laying of undersea cables and pipelines.

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2. Navigare necesse est--navigation is a necessity! This is a fact and not a well-worn slogan.

A consequence of acknowledging to a coastal state the exclusive right to exploit living resources is the cancellation of the freedom to fish on about 36 percent of the total sea area on which about 95 percent of all fish are caught; about 60 percent of the world tuna catch comes from fishing grounds included in these zones.

However, a coastal state cannot act completely independently relative to the live resources in its economic zone. The draft convention of the law of the sea requires that they manage these resources as effectively as possible (by applying the results of research and by cooperating with appropriate international organizations to protect these resources against overfishing and to maintain the species of fish that are caught at a level guaranteeing a constant, optimal output.

The coastal states are obligated to specify the completely allowable fish catch, to establish its own fishing capacity and to permit the surplus to be caught by foreign fishermen based on appropriate international agreements. The goal of these resolutions is to guarantee that all fish that can be caught within the framework of rational management can be caught. The world suffers from a lack of protein and cannot allow its waste by leaving fish in the sea which in time must die.

For many years the question of access to a surplus was the subject of sharp controversy in the line of division between the developed and developing countries was not at all sharp. The realization of the concept of an economic zone benefited above all those nations who possess extensive coasts bounded by waters rich in fish. Rich countries like the United States, Canada, Austrailia, Japan and New Zealand have such extensive zones. However, nations having especially disadvantageous locations lost out, that is, countries who in general cannot establish a zone or a zone that is small and contains insufficient resources to satisfy the food needs of its own people. Poland, among others, which is situated on a small, semiclosed sea with limited living resources, is such a country.

Poland's position regarding economic zones was presented at the Second Session of the conference which was held in Caracas in 1974. In expressing its willingness to recognize the rights of coastal states to establish economic zones, the chairman of the Polish delegation, the then vice minister of foreign affairs, S. Trepczynski, insisted in his speech that proper consideration be accorded to the needs of countries that can only overcome difficulties resulting from geographically disadvantageous locations by expanding deep-sea fishing. Poland's deep-sea fishing industry arose after the war and expanded dynamically. Polish fishing ships not only are at home on many distant fishing grounds but also contributed important work in investigating and identifying schools of fish.

To a certain extent, these facts have been taken into account in the draft convention as well as in legislation passed by some countries. For example, a 1976 U.S. law on fishing allowed certain priviliges for those countries whose ships traditionally fished in areas within these zones.

The question of access to the living resources of economic zones has not yet been completely settled; however, there is no hope for great changes in the draft convention. Privileges in fishing areas will serve only the developing countries, especially inland countries and those having geographically disadvantageous locations. The rights of developed countries having geographically disadvantageous locations, such as Poland, unfortunately were limited to the economic zones of the developed countries located in the same region. However, one cannot make use of these rights relative to developed countries whose economies depend on fishing to a large extent.

Of great significance in realizing our interests are the adequately extensive establishment of the concept of a "region" as well as the acceptance of the resolution which does now exist that a country with a geographically disadvantageous location should have the right to fish in the economic zones of a neighboring region if in a given region there is no surplus.

If one was to honestly evaluate Poland's present situation, then our fishing industry cannot be considered for some kind of specific privilege in accessing the living resources of foreign zones. Fishing can be done in these zones but only on the basis of agreements with the coastal states concluded as usual on the basis of commercial principles. The extent of the access and the conditions under which we will be able to make use of the right to fish will depend on the knowledge, experience and cleverness of our negotiators.

In the new situation wherein easy access to fishing grounds has ended, the proper use of the Baltic's resources becomes a vital necessity. Of course, we have our own zone on this sea and we also participate in well-developed international cooperation in the fields of fishing and protecting resources within the framework of the Gdansk Convention of 1973 as well as bilateral agreements.

11899
CSO: 5200/3001

COAST GUARD PROTECTS TERRITORIAL LIMIT, CONTROLS POLLUTION

Bridgetown SUNDAY ADVOCATE-NEWS in English 7 Mar 82 p 15

[Article by Trevor Adams]

[Excerpts]

BARBADOS is continuing its development drive and gearing to bolster the economy by securing territorial and economic zone.

Declaration of the standard 200-mile economic zone by the countries in the Latin America and Caribbean region, was a contributor to the demise of the Barbadian shrimping and deep-sea fishing industry.

Barbados is similarly ensuring that no other country takes from this 166-square mile nation's share of whatever marine mineral resources and sea food is available in its own economic zone of the standard 200 miles. Theoretically, no one can fish or mine here without permission of the Barbados Government. However, special arrangements were necessary between this country and the Governments of St. Vincent, St. Lucia, Grenada, Trinidad and Tobago, and Martinique. They are between only 90 and 120 miles away from Barbados.

The established national maritime guardian over the 12 mile territorial limit around Barbados and its economic zone is the Barbados Coast Guard Services — the naval arm of the Barbados Defence Force.

Military protection is essential not only in the battle for economic survival but also to maintain safety at sea and for the preservation of the lives of 2 000 or more Barbadian fishermen, tourists, whose numbers and foreign currency are a main plank in the economy, and mariners on the inter-island schooners, container ships, tankers and luxury liners.

Barbados is still the most stable among the nations of the Caribbean, many of which are newly independent with fragile economies. The latter characteristic, however, also applies to Barbados whose economy is precariously perched on the tripod formed from tourism, sugar and manufacturers in that order.

And the extremely difficult development problems facing this island are magnified by uncertain prices for the few primary products which are exported, declines in earnings from tourism, dwindling foreign investment, higher energy costs and global recession.

Imports always outstrip exports and this unbalanced trading out of Barbados' favour puts a deep dent in foreign exchange particularly when there are shortfalls in any two sectors. The oil and food bills are the principal eroders as shown in the January to October, 1981 official trade figures.

The nation's total food imports for the period cost $136.3 million. Fish imports accounted for $6.9 million of the bill. Oil prices continued to escalate rapidly and saddled Barbados with a $162.7 million bill for energy imports.

The food bill would have been a lot higher were it not for the 3 500 to 4 000 tons of fish landed by Barbadian fishermen with earnings of between $14 million and $17 million annually. Flying fish make up about half of the catches, dolphin 30 per cent, with other types of fish taking the rest.

But the fisheries authorities are confident that Barbados' economic zone has greater fish capacity and that this will be taken advantage of by the increasing number of newer type large fishing boats with ice boxes. The fisheries officials stressed that this "revolution" in fishing costs boat owners hundreds of thousands of dollars to buy the vessels and equip them, including the ice and fuel so that the crews can remain on the fishing grounds for a week. In other words, they can utilise the zone more fully than the fishermen using small boats.

Furthermore, the nation's economic zone hold out the possibility of tuna resource and other migratory fish from the Atlantic ocean — fish living off the bottom as against those feeding on the sea surface, the officials explained.

It is also believed by Barbadian geologists and energy officials that there is the possibility of minerals on and under the seabed. These include oil, natural gas, and manganese nodules.

Against this background and investment, the Barbados Government has responded to an obvious obligation of coast watching and the rescue of persons in distress at sea round this island's coasts. They have provided a Coast Guard base, HMBS Willoughby Fort — located at the Pierhead — and five vessels.

The defence spending was financed entirely by a concessionary loan from the British Government, in a package contracted to Brooke Marine of Lowestoft, England — the designers and builders of the Coast Guard's flagship, HMBS Trident.

A deterrent

In the present climate of economic recession, the Coast Guard not only places emphasis on giving quick assistance to Barbadian fishermen lost at sea and in emergencies involving tourist yachting and wind-surfing, but this efficient unit also acts as a deterrent to fishing vessels coming into the island's economic zone, and drug traffickers.

The Head of the Coast Guard, Lieutenant Commander James Oliver, emphasised the vital importance of providing proper military protection in these areas: "The fact is that we are around and we will be seen to be around; and that actually affects this."

"If you have an armed force of disciplined people in uniform in boats at night, amongst a busy anchorage of yachts where perhaps there might be drug trafficking going on, or with other means of drug trafficking landing on remote beaches, if the Coast Guard vessels are visible and carry out random patrols people think twice.

"They are not sure what you are looking for, whether you have noticed them and so they would be much more careful about their approach to this island — in fact to the extent that we may deter them totally. It is a question of being seen on random business — like patrols that will actually benefit the country in those fields," the Coast Guard Chief said.

The Barbados Coast Guard Services will be able to handle oil pollution. Close to shore or the coast, oil pollution can be disastrous to the immediate area; environmental damage is more severe. The potential for oil pollution has increased dramatically due to the enormous rise in transportation of oil by ships and the great increase in the number and size of the ships themselves.

However, in the event of an accident, the Coast Guard Services have specialised equipment to rapidly clean the coasts and sea round Barbados.

CSO: 5200/7523

SCIENTIFIC SEARCH WITH USSR IN EXCLUSIVE ECONOMIC ZONE

Havana MAR Y PESCA in Spanish Dec 81 p 28

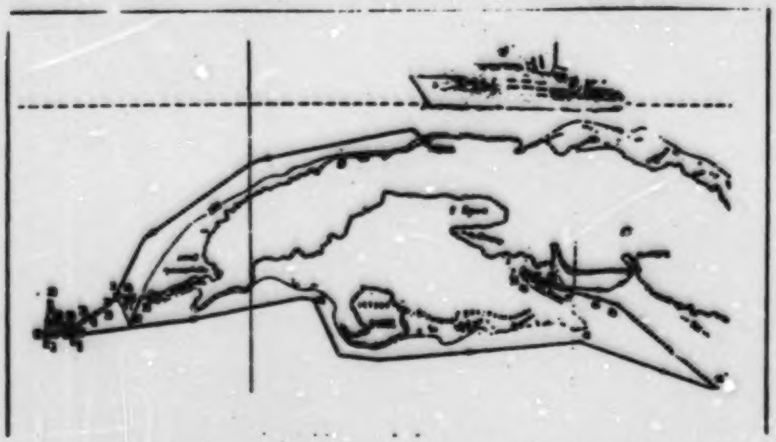
[Extract from BOLETIN DE LA ACADEMIA DE CIENCIAS DE CUBA]

[Text] As part of the cooperation agreement between the Academy of Sciences of Cuba and the Soviet Academy of Sciences, there was a joint expedition of their oceanology specialists on the ship "Academico Mitislav Keldish" recently. Academician Vitale Boitov headed the expedition.

The Cuban scientific collective included Dr Otmara Abello, doctoral candidate in sciences, and engineer Leopoldo Blazquez and engineer Jorge Foyo, specialists in marine geology and physics.

The trip began in Havana Bay, continued to the Yucatan Channel area, the southern coast of Cuba to Cienfuegos Bay, the Golfo de Cazones, Cienaga de Zapata and finally back to Cienfuegos.

During the 12 days of on-board research, the Cuban scientists basically studied the areas with fishing importance for our country. The studies included marine physics, marine geology, etc.



First trip made by the "Academico Mitislav Keldish" research ship in waters of the exclusive economic zone of Cuba

As is established in the bilateral pact between the Cuban and Soviet Academies of Sciences, this trip opens the way for other joint expeditions with scientific objectives.

7717
CSO: 3010

AGREEMENTS WITH VARIOUS COUNTRIES STUDIED

Luanda JORNAL DE ANGOLA in Portuguese 7 Mar 82 p 1

[Text] A source close to the Ministry of Fisheries told ANGOP [Angolan Press Agency] that lack of cadres and technical means prevent Angola from immediately joining the programs in the field of fisheries recommended by the third meeting of the countries coordinators of the Program of Action of the Movement of Nonaligned Countries in April of last year in Havana (Cuba).

That meeting approved several documents aimed at cooperation and development of fishing activities among members of the Movement of Nonaligned Countries, stressing the recommendations of consultations of fishing on the high seas, building of ships, exchange of fishing information and establishment of groups of experts.

Meanwhile, as the source revealed, Angola contemplates the purchase, within a short time, of 20 ferroconcrete ships from Cuba, as well as cooperation with Nigeria for the creation of a joint firm in Cabinda Province.

At this time, according to the same source, exchange of experiences in the fishing area continues with Mozambique, there is a protocol of interests with Libya, and ways for Angola to grant licenses for fishing will be studied with Congolese firms connected with fishing. Also within the framework of nonaligned countries, a Nigerian ship "Ibru" is fishing, experimentally, in territorial waters of the People's Republic of Angola.

11635
CSO: 5200/5642

MORE SEVERE SENTENCE FOR SOUTH AFRICAN BOAT

Maputo NOTICIAS in Portuguese 18 Mar 82 p 10

[Text] The Superior Appeals Court of the People's Republic of Mozambique has decided to increase the penalty imposed on Willy Hansen, the captain of the South African fishing boat "Hawk" DNA19. Last month he was intercepted in Mozambican territorial waters carrying a ton of fish, according to a report issued by the AIM [Mozambique Information Agency], citing sources of that higher court.

According to the same source, in the sentence which was announced the day before yesterday, the court ordered the confiscation of the vessel with all equipment, and sentenced Willy Hansen, a Danish national, to a fine of 800,000 meticals (about 22,000 rands) in freely convertible currency, and to 10,500 meticals in court expenses.

Thus, the sentence of the Maputo Maritime Court, which had tried and sentenced Willy Hansen to a fine of only 800 meticals, was annulled.

The suspension of the first sentence was requested by the Attorney General of the Republic on the basis of manifest illegality, resulting from total lack of application of the penalty provided for in the law approved by the People's Assembly in 1978.

The law provides for penalties ranging from 750,000 to 10 million meticals in case the violation was limited to jurisdictional waters, and confiscation of the vessel if it is proven that it was fishing, preparing for fishing or transhipping fishing products in territorial waters without due authorization.

After reviewing the entire process, including the depositions of witnesses and of Willy Hansen himself, it was considered that there had been preparations for fishing in territorial waters, which fact had not been taken into consideration by the Maputo Maritime Court.

As a matter of face, writes AIM, in these depositions it was stated that the vessel had been fishing on 7 February in Zavora, Inhambane Province, and was again preparing lines for another fishing day.

When the ship was intercepted on 8 February, 1.6 miles from the coast near Ponta Dobela, Maputo Province, the fishing rods were ready, with bait on the hooks.

It was also proven that the ship often fishes in Mozambican waters, mainly in the areas of Ponta de Ouro, Monte Belo and Boa Paz. Hansen even admitted that they fished in Mozambican waters, but that he was convinced that the supervision was not effective.

The Superior Appeals Court also considered the loss, in favor of the State of Mozambique, of the value of the fish found aboard, which was evaluated at some 70,000 meticals.

11635
CSO: 5200/5642

COMMENTATOR SEES NEW LAW OF SEA BENEFITING COUNTRY

AB291340 Lagos Domestic Service in English 0600 GMT 29 Mar 82

[Commentary by Oscar Ede]

[Text] Today, the world awaits a new international law of the sea to replace the old one contained in the four Geneva conventions of 1958. The tough bargaining between 150 states which started since December 1963 is yet to materialize into a permanent test treaty. The emerging law is in many ways significantly different from the old law. Admittedly, the journey to this point has been rough as the developed countries whose interests predominate in the old law of the sea find it difficult to accept the need for equality, peace and justice for the sea. But on the other hand, the developing countries are equally determined to create a new legal order. The irony in the current conference is that alliances have not been formed among negotiating states along traditional, ideological liberal and socialist or capitalist and communist lines.

Instead, alliances have been on a national level of development line--the underdeveloped versus the developed. Because of the increase in the resources of the sea, major industrial countries have suddenly developed strange (?demands) themselves in opposition to the poor countries of the world who constitute over 3/4 of the negotiating states. In the present conference, about 115 (?subjects) were listed for negotiations. The major issue centered around who owns and controls what parts of the world oceans and seas as well as the living and non-living resources of these oceans. The conference will also define the rights and duties of other states, notably, the land-locked and geographically disadvantaged states in the different areas of the world's oceans. [Passage indistinct] The remaining issues mainly concern voting procedure and methods of granting exploration license in the international seabed areas. This part has been holding back the emergence of a new law of the sea. It is these same issues that led to the stalemate at the last conference. The United States Government has asked for time to review the draft agreement, especially as it concerns the area on the mining of the seabed. But the majority of delegates felt that this could reopen old arguments and thereby delay the final agreement. The present arrangement recognizes two distinct areas: The national area comprising the 321-kilometer exclusive economic zone, EEZ, and the international area comprising areas outward of the EEZ.

The area is known as the common heritage of mankind and it is to be managed by an international seabed authority. This second area has generated problems due to the reluctance of the industrialized world, which has vast technology, resulting in the problem of granting concession or exploration license to multinational corporations. However, issues have been almost resolved in the national areas, that is, the exclusive economic zone. The rights and duties of states, both coastal and land-locked, in other states have been resolved particularly as they relate to exploitation, preservation, research and other basic freedoms on the sea.

One major breakthrough in the new law is the adoption of a breadth of 19 kilometers for the territorial sea. This issue had eluded all conferences organized since the beginning of this century.

What therefore are the implications of these developments for Nigeria? Like every other coastal state, Nigeria stands to gain by the adoption of a 321-kilometer exclusive economic zone. Politically, the country will gain about 8,000 square kilometers of territorial area and another 104,000 square kilometers of preserved economic resources zone. Strategically, the gain will help to create a large security buffer zone for the country's defense. Economically, the entire area will remain exclusive to Nigeria as far as mineral resources as well as living resources are concerned.

So far, the fishery and mineral potentials of the coast of Nigeria are no more a secret. As far as unilateral claims on the sea are concerned, Nigeria has been considerably moderate. It took about 89 years for Nigeria to alter the 5-kilometer territorial sea limit to 19 kilometers, that is from 1878 to 1967. By 1971, Nigeria had extended it to 48 kilometers and finally in October 1978, she declared the 321-kilometer exclusive economic zone. It will be important to equally point out Nigeria's stand as to certain issues. As far as international seabed mining is concerned, Nigeria maintains that the systems of financing exploitation, the resources policy and production control should [words indistinct] in check against any injuries to the economies of poor countries. If a new law of the sea finally emerges, it could--in its own way--be a Magna Carta for these countries.

CSO: 5200/5645

BONN SET COURSE FOR SEPARATE TREATY ON MARITIME MINING

Hamburg DER SPIEGEL in German 15 Mar 82 pp 47, 49

[Text] With a separate treaty the FRG is undermining the LOS conference--final round in the struggle for distributing gigantic reserves of raw materials.

The negotiating delegations had withdrawn into the seclusion of the Santa Clara convent in the little north Iberian city of Tordesillas. The document, which the Spanish ambassador and his Portuguese colleague signed on 7 June, sealed the division of the world. An arbitrary line of demarcation between the 48th and 49th meridians guaranteed the two countries the conquest of entire parts of the earth: the western part was to belong to the Spaniards, the eastern to the Portuguese.

The 1494 Treaty of Tordesillas, a brazen act of large power supremacy politics, had come into being through the mediation of Pope Alexander VI who had declared himself arbitrator in the distribution of continents.

Rome is no longer in demand as the last court of appeals in the now impending division of the globe. The relationships are more complicated.

Nonetheless, at the LOS conference which met for its 11th session on Monday of last week at the United Nations in New York, the issues are the distribution of 71 percent of the earth's surface, the demarcation of territorial and economic zones at sea, shipping and fishing rights, but mainly the distribution of the enormous deposits of raw materials in the oceans.

The experts estimate that in about 20 years half the world's requirements for nonferrous metals will be met from the oceans, mainly in the form of manganese nodules. At the latest, from 1988 on the facilities will be available to mine the precious sea rock from depths up to 7,000 meters. In addition to manganese and cobalt, which are used to produce high quality steels, it also contains copper and nickel.

And as before in Tordesillas, it is again the great countries that want to assure themselves the most lucrative latifundia by exploiting their economic and technological position of priority in the matter of distributing these natural resources.

Secretly the Americans, French, British and Germans came to an understanding even before adoption of a U.N. convention on the use of the oceans. The four delayed final signing until after the New York conference in order to keep the developing countries prepared for compromise. For the purpose of the agreement is clearly contrary to their interests: investments by companies which are now involved in deep-sea mining are quite emphatically to be protected.

But mainly the treaty partners are guaranteeing each other the right to protect licenses for developing fields of manganese nodules in international waters. The details are regulated in the national deep-sea mining laws.

In practice this means: the four countries, which before long will be joined by Japan, and possibly even Italy, Belgium and the Netherlands, are independently staking out their claims before the United Nations has reached agreement on international control. Thus, they are undermining the efforts of the LOS conference for a just distribution of the natural resources.

Even prior to the beginning of the New York conference the parliament in Bonn, in rare unanimity and virtually unnoticed by the public, set a new course. On 21 January, shortly after 7:30 pm a small group of Bundestag delegates from all three fractions, who were left over from exhausting budget debates, "unanimously and without discussion" passed inconspicuous amendment 9/1074; that authorization which gives the Federal Government a free hand in negotiating the special treaty with the United States, France and Great Britain.

The event is unique in the history of the Bonn parliament--none of the delegates was familiar with the exact purpose and the details of the treaty.

Noteworthy also is the haste: rarely have bills been pushed through the plenum in such a short time: there were not even 2 months between motion and passage.

The action was not fishy in the eyes of the legal committee in Parliament. Legal committee chair, Herta Daeubler-Gmelin (SPD), admonished that to be sure, there was "no sweeping" constitutional consideration, but once and for all it would be nice to "know that the action taken is restricted to imperative exceptions."

But the issue might perhaps not seem so imperative to everyone. Even in the fraction meeting held for preliminary discussion, Uwe Holtz, the SPD's spokesman for development policy, had demanded a slower pace. There had scarcely been time for the committees to examine the bill in due order.

Holtz stated that he feared the usable sea bottom would be divided up for the foreseeable future among the countries engaged in deep-sea mining; the developing countries would be the losers. The basic idea of the LOS conference to administer the oceans as the "common heritage of mankind" would thus be turned around.

Egon Franke and Annemarie Renger, right-wing fraction members, immediately brushed the critics off. Reservations were out of order, the issue had to be pushed through now.

The people in Bonn had in fact gotten caught up in pressure. Mainly the Americans were pressing for haste. They want to see orderly circumstances at their doorstep as soon as possible: the first fields of manganese nodules are to be surveyed in the Pacific, between California and Hawaii. A huge area will be divided into large lots that are 160,000 square kilometers. National and international mining consortia can soon acquire concessions.

The lobby is strong. Making up the party are conglomerates like Kennecott Copper, US Steel, Rio Tino Zinc, BP, Shell, Mitsubishi and Lockheed. For the FRG Preussag, Metallgesellschaft and Salzgitter are involved, which as a consortium hold 25 percent of the "Ocean Management Inc" (OMI) multi.

Thanks to the involvement of OMI the Germans might be able to count on an annual mining output of over 4 million tons in 6 years when mining, according to the agreement, may begin at the earliest. With a single stroke the FRG would have met almost 40 percent of its nickel requirements and even up to 100 percent for cobalt and manganese.

Of course, at the LOS conference the developing countries wanted to put a stop to that. According to the demand, the industrial countries would have to make know-how and technology in deep-sea mining accessible to the countries of the Third World at "appropriate and reasonable prices," as stated in the draft treaty. An international raw materials authority is to control mining even operate it itself from case to case and distribute a part of the yields in an appropriate way.

Something like this reeks of nasty regimentation as far as the Federation of German Industries (BDI) is concerned. In a lobby letter to the members of four Bundestag committees the BDI let the members know what the result would be if the wishes of the developing countries were accommodated: "The LOS convention will" degrade "Germany into an interior country like Nepal."

12124
CSO: 5200/2058 END

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27 April 1982

Worldwide Report

LAW OF THE SEA

No. 194

FBIS FOREIGN BROADCAST INFORMATION SERVICE

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WORLDWIDE REPORT

LAW OF THE SEA

No. 194

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SWEDEN'S FOREIGN MINISTER FIRM ON BALTIC LIMIT WITH USSR

PM151007 Stockholm SVENSKA DAGBLADET in Swedish 25 Mar 82 p 6

[Hans O. Alfredsson report: "Ullsten on Fisheries Zone: We Will Sell Nothing to the Soviet Union"]

[Excerpts] Visby--Sweden will never abandon the median line principle in the Baltic, but could envisage "trimming little fragments." Foreign Minister Ola Ullsten told this to worried Gotlanders Wednesday [24 March].

Ullsten, who is himself a regular summer visitor to the island, devoted the whole day to visiting a gray and misty Gotland and making reassuring speeches about the government's negotiations with the Soviet Union. The debate on the fisheries zones and the demarcation line on the continental shelf in the Baltic has given rise to much feeling--most political, it would seem--among the island's population.

"We are not selling off anything to the Russians," the foreign minister assured a large crowd of people from the provincial government, municipal councils, the army and the local fishing industry who had gathered in Visby.

The issue at stake is that Sweden wants to reach a settlement on the 13,500 square km so-called White Zone in the Baltic. Sweden would like the whole zone as a Swedish fishing zone and at the same time would like to have the right to exploit oil, minerals and other things which could be found on and under the sea bed. These latter rights could be worth several billion kronor.

"We could envisage making minor deviations [from the median line], straightening out curves, making small concessions [in Buktningar]. But we will of course make sure that the result would be as favorable as possible for Swedish interests," Ullsten said.

Foreign Ministry Legal Chief Hans Danelius, who has been negotiating for Sweden, has said that the Russians have also shown themselves to be prepared to discuss their position. But the principles involved remain the same.

CSO: 5200/2065

BRIEFS

THAI, BURMA BOUNDARY--Chet Sutcharitkun, Foreign Ministry spokesman, reports that in connection with the official visit to Thailand by the Burmese foreign minister, His Excellency U Chit Hlaing, 10-14 April. On 12 April the Burmese foreign minister held discussions with his Thai counterpart at the Thai Foreign Ministry. At 1130 of 12 April the two foreign ministers exchanged ratification notes on the sea boundary between Thailand and Burma. At 1400 the foreign minister called on Thai Prime Minister Gen Prem Tinsulanon at Government House. Tonight Foreign Minister Air Chief Marshal Sitthi Sawetsila will host a dinner in honor of the Burmese foreign minister. [Text] [BK130514 Bangkok Voice of Free Asia in Thai 1000 GMT 12 Apr 82]

PACIFIC FISHING ACCORD--PORT MORESBY, Wednesday--In a new "get tough" approach aimed at safeguarding their rich Pacific Ocean fish resources, seven island States, including Papua-New Guinea, are to sign a pact of co-operation in Nauru tomorrow. Under the terms of the pact to be signed by PNG, Nauru, Solomon Islands, Kiribati, the Federated States of Micronesia, the Marshall Islands and Palau, the islands will exchange details of any fisheries arrangements they plan to negotiate with offshore fishing nations, such as Japan, before any agreement is signed, thus protecting their bargaining position. The pact will eventually regulate the issue of fishing licences to foreign fishing companies wanting to fish the vast area of the aPcific controlled by the seven States. Papua New Guinea's Minister for Foreign Affairs and Trade, Mr Noel Levi, who will sign the agreement for PNG, said yesterday fishing was now a major and valuable island resource and the new pact was to stop offshore nations playing one island group against another for their own ends. He said he expected other island States would enter the agreement. [Stuart Inder] [Sydney THE SYDNEY MORNING HERALD in English 11 Feb 82 p 20]

CSO: 5200/7525

CRACKDOWN ON INCREASING ABALONE POACHING UNDER WAY

Perth THE WEST AUSTRALIAN in English 19 Feb 82 p 9

[Text]

People taking undersize abalone from Perth's beaches face heavy fines under a crackdown by the Fisheries and Wildlife Department.

The chief fisheries officer, Mr Neil McLaughlan, said that there had been increased pressure on the metropolitan abalone crop over the past two years.

The pressure had come mainly from the influx of Asians to WA, to whom the shellfish was a delicacy, he said.

The department had initially launched an education programme to acquaint the offenders with the laws governing the taking of abalone.

"We now believe that they are aware of the laws and we will prosecute any offenders," Mr McLaughlan said.

Abalone had to be at least 60mm across their widest point and no more than 36 per person could be taken.

FINES

Offenders faced minimum fines of $50 up to a maximum of $100 for their first offence. They also could be fined 25c to 50c for each undersize abalone.

For a second offence the minimum fine was $100 and the maximum—$750—with the same fine applicable for each undersize abalone.

Anyone caught taking more than the permitted 36 faced a maximum fine of $750.

Mr McLaughlan said that Perth's abalone were relatively easy to pick off rocks in shallow water.

Unfortunately the Asians' liking for abalone had created much greater demand than previously, even when only legally sized ones were taken.

Highly organised teams of Vietnamese have been blamed for poaching vital abalone beds around Port Fairy and Warrnambool in western Victoria.

CSO: 5200/7527

BRIEFS

HYDROCARBONS IN GIPPSLAND--Beach Petroleum's West Seahorse No 2 appraisal well, offshore in the Gippsland Basin, has encountered hydrocarbons. Cores were cut between 1424m and 1449m and hydrocarbons were found, but the poor quality of the core prevented interpretation of fluid content. The executive director of Beach, Mr John Hinkins, said yesterday the core result was encouraging, but the significance of the hydrocarbons could not be determined until the well reached its total depth of 2050m and further tests were done. In October last year Beach discovered oil at the West Seahorse No 1 well. Oil flowed oil at a rate of 1800 barrels a day and results from the appraisal well will help determine the size of the reservoir discovered. Beach said it was set to start a new drilling program of at least two wells in the onshore Otway Basin in western Victoria. The company has previously discovered gas in the Otway Basin, but the new drilling program is aimed to find oil. The Curdie No 1 well is the first of the new wells and was spudded yesterday. It has reached a depth of 32m and is drilling ahead. [Canberra THE AUSTRALIAN in English 11 Feb 82 p 13]

MORE OFFSHORE RIGS--At least six offshore oil rigs will reach the Australian coast this year to join the seven already working for exploration companies. Companies involved in the renewed offshore push are headed by Phillips Petroleum and include Woodside, BP, Esso, Mesa and Occidental. Shell will be a late starter in early 1983. Phillips is expected to bring in the semi-submersible Epoch on a long-term contract in March. The company will not be ready to drill its first well in the Victorian Otway Basin until the second half of the year. The drillship Ben Lomond will arrive mid-February for BP. Esso Australia expects to have the jack-up rig Key Biscayne in Australia by mid-June. Other rigs due off the coast during the year are the jack-up Glomar Main Pass 3 for Mesa, the semi-submersible Penrod 73 for Occidental and the drillship Energy Searcher for Woodside. [Canberra THE AUSTRALIAN in English 11 Feb 82 p 15]

CSO: 5200/7524

INDIAN DELEGATE SPEAKS AT LAW OF THE SEA PARLEY

New Delhi PATRIOT in English 2 Apr 82 p 3

[Text] United Nations, April 1 (PTI).

At the Law of the Sea Conference, India has made known its interest in conducting its own oceanic surveys, and, eventually, its own sea-bed mining and urged equal treatment to the pioneers in mining both from developed and developing nations.

The Minister of Law Jagannath Kaushal yesterday conveyed the Indian interest to the Conference which entered its fourth week on Monday.

The Conference is currently reviewing, in open session, certain compromise proposals made by the Conference president Tommy T B Koh to bridge differences between industrialised and developing countries.

Mr Koh's proposals concerned such thorny issues as establishment of a preparatory commission that would set up the international sea-bed machinery as conceived by the convention, protection of investments for sea-bed mining already made by parties and the status of national liberation movements.

Mr Kaushal urged that the convention must accord the same weightage to "pioneers" irrespective of the fact if they belonged to the developed or developing countries.

The National Institute of Oceanography in Goa, he said, had lifted, through its research vessel, polymetallic nodules from a depth of 5,000 metres or so near the Equator from the Indian Ocean in January 1981.

Mr Kaushal said that encouragement of developing countries and their entities, whether working individually or in group, would promote the effective application of the convention to all states without discrimination, and would avoid the establishment of a monopoly in the hands of a few industrialised states or their entities.

He was opposing a proposal that would give priority in the award of mining contracts to the "pioneer" groups that had already started exploratory work on deep sea mining. At present there are said to be seven such groups in the United States, France, Japan and the Soviet Union. India is a new claimant but would want such priority to possible new comers from developing countries.

"The position of developing countries should be at par with the other pioneer investors, and not made inferior to them", Mr Kaushal said.

It is known that the United States is opposed to the proposal of developing countries that they too must have priority in mining on the ground that their interests will be served by the proposed international seabed authority.

CSO: 5200/7033

JAPAN

BRIEFS

FISHING TALKS WITH USSR--Tokyo, April 9 (KYODO)--Japan-Soviet negotiations to decide the 1982 catch quotas for salmon caught in the northwestern Pacific will start in Moscow next Tuesday, the Fishery Agency announced Thursday night. The annual negotiations originally were scheduled to start in the Soviet capital on April 7 but was postponed at the request of the Soviet side. The Fishery Agency plans to conclude this year's talks in time for the start of salmon fishing operations on May 1. Kiichi Inouye, director of the agency's Oceanic Fishery Department and government delegate to the negotiations, is due to leave Tokyo for Moscow on Monday. [Text] [OW090036 Tokyo KYODO in English 0008 GMT 9 Apr 82]

CSO: 5200/2064

BRIEFS

FISHING BOAT INCURSIONS--PORT MORESBY (AAP)--A 1100 tonne American tuna fishing ship has been stopped at sea by Papua New Guinea Defence Force patrol boats and detained in Rabaul Harbor. The helicopter-equipped "Dacine" is "mother" ship to more than six longline fishing boats that Papua New Guinea claims have been illegally fishing territorial waters off New Ireland and Bougainville. The US Government and fishing industry do not recognise territorial waters where tuna is concerned. The PNG Prime Minister, Sir Julius Chan, said co-operation last week between the government's "VIP" flying unit and the PNG Defence Force had led to at least three unlicensed foreign fishing vessels being detected in PNG waters. Sir Julius said there had also been sightings of 11 suspected illegal longline fishing boats, the US mother ship and a banana boat. "The illegal fishers were spotted from the air by the Gruman Gulf-stream G2 jet aircraft--Kumul One--which had been placed at the service of the PNGDF for two days earlier in the week," he said. [Brisbane THE COURIER-MAIL in English 15 Feb 82 p 20]

CSO: 5200/7525

LAW OF SEA NEGOTIATIONS SAID AT 'CRUCIAL STAGE'

OW111234 Beijing XINHUA in English 1210 GMT 11 Apr 82

["Roundup: Sea-Law Treaty Negotiation Is at Crucial Stage -- by Correspondent Yuan Jin" -- XINHUA headline]

[Excerpts] United Nations, April 10 (XINHUA) -- The 11th Session of the Third U.N. Conference on the Law of the Sea is now entering a crucial stage. Although the United States reportedly begins to soften its stand on the projected sea-law treaty, tough negotiations still lie ahead.

The draft convention itself is a well balanced package taking into consideration the interests of the developing countries as well as the land-locked. However, the United States dramatically reversed its position following the change of its government in early 1981. When the current session began last month, the United States, which quitted because of proposed restrictions on deep sea-bed mining last year, decided to rejoin the conference. But it introduced scores of major amendments to the draft treaty. The amendments seek, among other things, to weaken the power of the international seabed authority and to grant the United States and the Soviet Union -- the two superpowers -- and five other Western industrialized countries not only veto, but also enough power to compel the award of mining contracts. The United States also demanded abrogation of certain provisions concerning the control of the sea-bed mining by the international sea-bed authority and transfer of technology from mining companies to the enterprise under the authority. It is even considering a "mini-treaty" on deep sea-bed mining with Britain, France and West Germany outside the U.N. conference.

This U.S. position inevitably incurred severe criticism from the developing countries. The "Group of 77" firmly opposed any fundamental changes in the draft convention and clearly stated that it rejected any piecemeal approach for a renegotiation on issues which had already been agreed upon and included in the text as a "package." It expressed its determination to adopt the draft convention at this session even without the participation of the United States. The Chinese delegation also criticized the U.S. approach and urged the U.S. delegation not to insist on making unrealistic changes on the major principles.

It is worth mentioning that more than 40 countries including China demanded the inclusion of the provision into the convention that the passage of foreign warships through the territorial waters needs prior notification and authorization of the coastal states concerned because it involves not only their sovereignty but also their security. But certain countries, the United States and the Soviet Union in particular, oppose this provision.

The delegates to the conference have been notified to submit formal amendments to the draft until April 13. In the next stage of negotiations, the session will take a number of decisions on all formal amendments. It is hopeful that the draft sea-law treaty will be adopted by the end of April, if all the participating delegations, the United States delegation in particular, take a good-faith cooperative and consultative attitude in negotiations.

CSO: 5200/2064

BRIEFS

TRAWL FISHING BANNED OFF PALAWAN--Commercial trawling and purse seine fishing in the waters of Palawan has been banned until 1986. The five-year ban took effect last March 21 upon signing of Fisheries Administrative Order No. 137 by Natural Resources Minister Teodoro Q. Pena. The ban, designed to protect and conserve the fishery resources of Palawan, specifically applies on commercial trawls and purse seines using fishing boats more than three gross towns within a distance of seven kilometers from the shorelines of Palawan. [Manila PHILIPPINES DAILY EXPRESS in English 25 Mar 82 p 3]

CSO: 5200/5646

BRIEFS

INDIA POACHING CHARGE--The Sri Lanka Navy plans to set up a communication link with the Rameswaram Coast-guard in an effort to keep Indian poachers off Sri Lanka's territorial waters. The intrusion of Indian fishing boats in Sri Lanka waters has long been a sore point with fishermen, particularly in the North, and the authorities here. The Navy believes that a communication link with Rameswaram can help eliminate friction in this area by enabling the SLN and the South Indian Coast-guard to liaise with each other and prevent the intrusion of fishermen from either country in territorial waters. [Text] [Colombo DAILY NEWS in English 24 Mar 82 p 3]

CSO: 5200/5647

BRIEFS

FALKLANDS FISHING 'NOT THREATENED'--The Fishing Industry Association reports that the Falkland conflict does not threaten Polish fishing vessels currently in the South Atlantic near the Falkland Islands. The fishing ship "Mazury" was recently in Port Stanley in the Falklands. The ship, which belongs to the transocean fishing enterprise, departed for the fishing zone where it will join the Polish fishing fleet. The fleet is fishing in the zone located 200-500 nautical miles from the coast of Argentina. [Text] [LD071600 Warsaw Domestic Service in Polish 1500 GMT 7 Apr 82]

CSO: 5200/2064

ISLAND HOPES TO GET MINERAL RIGHTS IN 200-MILE LIMIT

Hamilton THE ROYAL GAZETTE in English 11 Mar 82 p 4

[Excerpt] Government hopes to acquire mineral rights for its territorial waters extending 200 nautical miles around Bermuda, the Minister for Works, Agriculture and Fisheries, **the Dr. the Hon. John Stubbs**, told the House of Assembly yesterday.

Speaking during the debate on his ministry's budget for the coming year, Dr. Stubbs explained that Berget for the coming year, Dr. Stubbs explained that Bermuda had the right to fish those waters, but did not have mineral rights. He did not say what Bermuda would do with those rights if the Island was given them.

Dr. Stubbs said that during the next year his Ministry would conduct a survey of arable land and open spaces. "There are 2,200 separate pieces of arable land in Bermuda," he said. "These could be of national importance if we had some sort of extraordinary crisis and we could no longer rely on imported food."

The survey, he said, would be used to develop an overall strategy for the preservation of the land. The Ministry also hoped to improve agricultural productivity during the coming year. But, he warned, local farmers could never supply all of Bermuda's food demands.

Aside from providing Bermudians with good, fresh, farm produce, farms were important culturally, said Dr. Stubbs.

"People think of kids learning in a classroom. But we've discovered that we learn all of our lives, and for a kid to go past a field of growing corn every day and see it grow and sprout is an experience to treasure."

In the Department of Fisheries, said Dr. Stubbs, he hoped to put the newly acquired fish research vessel to full use, improve local fishing technology and update gear. He expressed disappointment that Bermuda fishermen were not supplying enough fish to the Sargasso Fish Processing Plant.

"We had hoped that that would grow and be well supported by the fishermen and eventually become economically attractive so that the fishermen as a consortium could take it over and run it," he said. But fishermen had not supplied enough fish to the plant since its opening, although efforts would be made during the coming year to boost fishermen's sales to the plant.

Turning to dairy farmers, Dr. Stubbs said that those farmers were doing their best in difficult circumstances. Fresh milk cost twice as much in Bermuda as it did in the United States because cow feed cost much more than it did in North America.

CSO: 5200/7526

NATION CLAIMS 200-MILE ZONE, SHIPS WARNED FROM AREA

Falklands Situation Cause

PY131718 Paris AFP in Spanish 1352 GMT 13 Apr 92

[Text] Montevideo, 13 Apr (AFP) -- It was officially disclosed that Uruguay today reasserted its 200-mile maritime jurisdiction and recommended its ships to refrain from sailing within the maritime exclusion zone in the South Atlantic.

These two decisions are related to the tense atmosphere regarding the Malvinas Islands (Falklands) due to the dispute between Argentina and Great Britain over their possession.

The official report maintains that the Uruguayan stance regarding that conflict which was adopted last week -- as is natural -- includes, within the framework of treaties currently in force, our 200 mile maritime jurisdiction.

On that occasion Uruguay reiterated its support for Argentina's right to sovereignty over the islands, but decided to refrain from engaging in any acts which might imply direct or indirect cooperation in the preparation or execution of hostilities.

The recommendation made to ships not to sail in the Malvinas Islands zone was made for security reasons.

Several Polish fishing boats which had received the same recommendation from their government docked in Montevideo port during the past few hours.

Polish Boats Leave

PY121931 Buenos Aires LATIN in Spanish 1849 GMT 12 Apr 82

[Text] Montevideo, 12 Apr (LATIN-REUTER) -- Five Polish fishing boats are docked in the Montevideo port after having received orders to abandon the fishing area near the 200-mile zone which has been quarantined by the British naval force around the Malvinas and the islands in the South Atlantic.

The arrival of fishing boats bearing other countries flags, which were also fishing near the zone quarantined as of 0400 GMT this morning, is expected in the next few hours.

Sources of the Polish Embassy pointed out to LATIN-REUTER that the fishing boats received direct orders from Warsaw.

CSO: 5200/2064

DECISION REACHED IN TUNISIAN-LIBYAN CONTINENTAL SHELF DISPUTE

Tunis LE MAGHREB in French No 46, 6 Mar 82 pp 23-24

[Article by Abderrahman Basle: "Continental Shelf, Waiting for the Commission of Experts"]

[Text] By the compromise of 10 June 1977, the Tunisian and Libyan Governments agreed to resort to arbitration by the International Court of Justice in order to resolve their dispute over the continental shelf. Negotiations, which were interrupted by serious crises, which barely avoided the worst each time, were a long time in being concluded.

The compromise did not state the continental shelf problem in terms of settling a boundary, but simply asked the Court to indicate the rules and principles applicable to the case in point.

Following the Libyan request, the Tunisian party proposed an additional paragraph to the first article of the agreement, in which it is "requested of the Court to clarify precisely the practical manner by which said principles and rules apply in this particular situation, in such a manner that the experts of the two countries can settle the boundaries of the said areas without any difficulties."

The decision rendered Wednesday, 24 February does not end the continental shelf dispute: a commission made up of experts from the two countries must meet in order to apply the method indicated by the International Court.

The Libyan party based its memorial, counter memorial, and reply on an argument derived from geological givens: It seems that in bygone geological eras (measured in millions of years) the African Continent shifted northward in the direction of Europe. As a result, the fixing of the shelf's boundaries should take this northward movement into account.

The Tunisian party, in the person of Mr Yadh Ben Achour, criticized this method, since it deprives Tunisia of all rights to a shelf.

The Tunisian party insists on a delimitation respecting the geometry of the coasts, geological givens, and the shape of the sea floor. Their demarcation line would run northeastward from Ras Jedir at a 64° angle of inclination.

The Libyan proposition suggests an equidistant line drawn northward without considering the Kerkennah Islands or the shape of the coast.

The court decision rendered Wednesday, 24 February, 1982 proposes a delimitation method drawn from the applicable principles and rules of international law, and from the relevant circumstances peculiar to the region.

The court considers that no criterion for delimitation can be based on natural continuation, because the area to be delimited consists of a single continental shelf, and because the physical structure of these areas is not of a nature to form a fair delimitation line.

The relevant circumstances can be summed up as: the definition of the area to be delimited, the general shape of the coasts, the existence and position of the Kerkennah Islands, and the fixing of the land frontiers of the two countries according to their respective pre-1974 attitudes toward the granting of oil right concessions. The court also admits that a fair delimitation must make clear the connection between the extent of shelf area and the length of the relevant part of its coastline, thus taking into account the Tunisian proposition on this point.

The court also instructed the parties to consider "the general direction of the coastline, and the current or future effects on the countries of the region of any other delimitation of the shelf. This last possibility not relating to Tunisia (the continental shelf boundary with Italy had already been settled), the court admitted the Libyan argument seeking to preserve the Jamahiriya's rights in future negotiations on the delimitation of its continental shelf, notably with Malta.

The court proposes a practical method of delimitation, which consists of dividing the area to be delimited into two sectors. In the first one, the demarcation line will run from the outer limit of the two countries' territorial waters to teh intersection of this limit with a straight line drawn from the frontier point of Ras Jedir at about a 26° angle east of the meridian.

The line will then be drawn northeastward at the same 26° angle until it crosses the parallel marking the western-most point of the Gulf of Gabes. In the second sector, and beyond latitude 34° 10', the boundary bends eastward, and follows a line forming a 52° angle with the meridian.

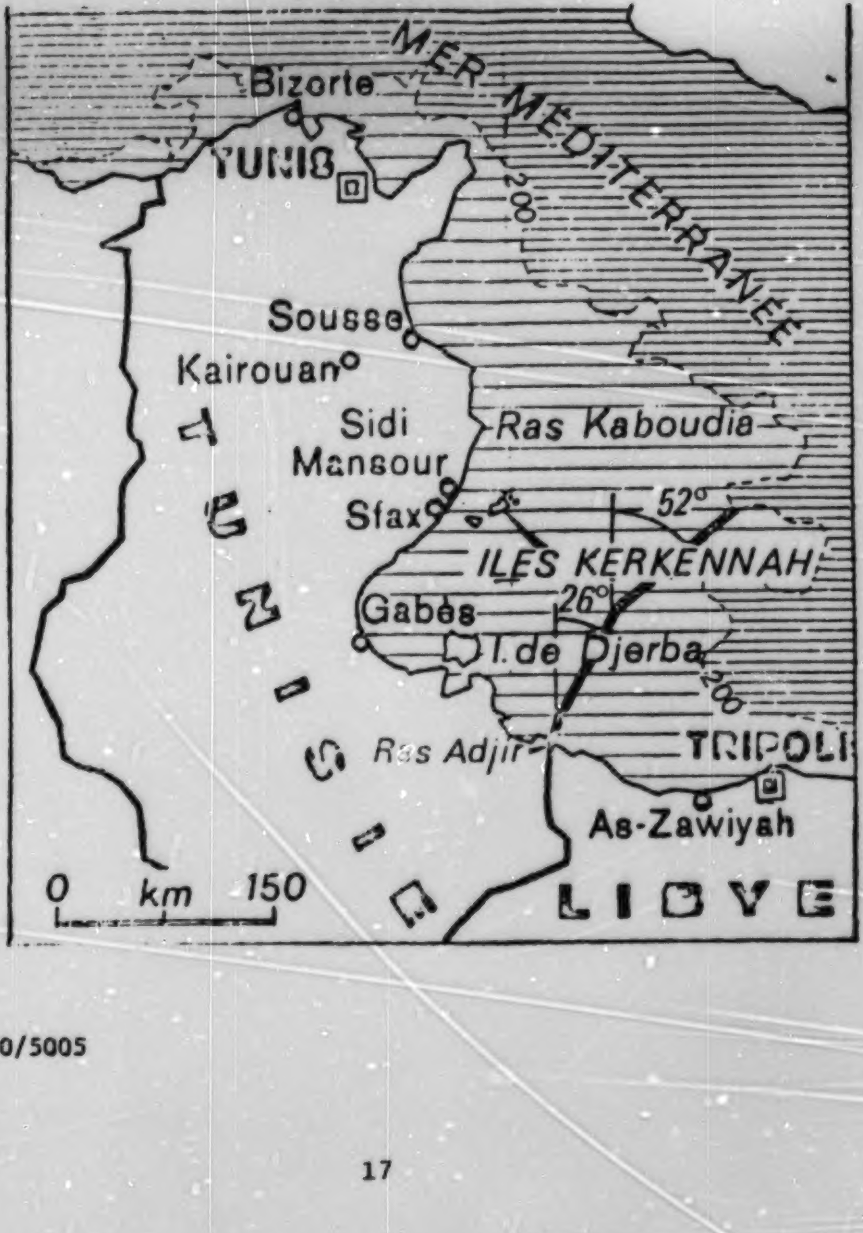
It seems the line proposed by the court heads eastward, as sought by the Tunisian proposition, but it only reaches an angle of 52° east, whereas the Tunisian party had proposed an inclination of 64° with respect to the meridian across the entire area to be delimited.

Asked to give his opinion on The Hague's decision, Mr Sadok Belaid refused to comment. His interpretation will depend on the recommendations of the foreign affairs minister: the application of the Court's propositions would not be just technical but also political. The Tunisian-Libyan talks held during the last visit of Colonel Qadhdhafi to Tunisia will probably lead to the eventual division or joint exploitation of the areas to be delimited.

Moreover, it seems that the shelf's deposits are in the area belonging to Libya according to the delimitation method proposed by the court.

Lacking a political agreement on the question, the party dissatisfied with the decision can appeal to article three of the 10 May, 1977 compromise, which stiuplates that in case of disagreement "the parties will return together to the Court and ask it for any elucidations or explanations which will facilitate the task of the two delegations in establishing the line dividing the two areas of the continental shelf."

The new condition of bilateral relations cannot be predicted.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CSO: 5200/5005

FISHING PROJECT WITH FRENCH DOUMENG GROUP DETAILED

Tananarive MADAGASCAR-MATIN in French 10 Feb 82 pp 1, 2

[Article: "Fishing: A Radiant Future for the Malagasy Economy"]

[Text] The last mission to Madagascar by the professional fishermen of the J. B. Doumeng Group, headed by Roger Delcros, dates back to last November. Now, less than 4 months later, here they are again, more determined than ever to persuade those in Madagascar who are still in doubt about the thousand and one possibilities that fishing offers us in Madagascar. Not those little Sunday fishing trips that are the family's delight. But industrial fishing which, while placing all kinds of salt and fresh water fish at the Malagasy consumers' disposal, would bring the country the currency which it so badly lacks in order to secure, for example, spare parts, which are in such grievous shortage today in all sectors of activity, and medicine. In short, all the little things of daily life which we have been terribly deprived of by shortages.

From the talk we had yesterday with Rene Coustellier, a fishing expert ("Les Pecheries de la Carmargue" [The Camargue Fishing Grounds]), who spoke under the supervision of Roger Delcros, head of the delegation, it is evident that we are unquestionably a poor people in a rich country.

This is quite plausible, with large areas surrounding us, a large portion of them uncultivated. Cultivation, however, does not require large investments compared to the exploitation of our subsoil, which is also rich. With respect to fishing, Madagascar is an island with what that implies--already diverse and enormous prospects. There are also watercourses: lakes, rivers, and ponds.

Conclusive Tests

During their previous stays, Roger Delcros--an adviser to the French Department of Foreign Trade, the right-hand man of Jean Baptiste Doumeng (the "Red Billionaire," as he is called in international business circles), recently named a Chevalier of the National Order--and Coustellier obtained conclusive tests, particularly in the eastern part of the country. This time they were accompanied by technicians (in deep-sea, pond, canal, and river fishing, etc...). On their return to France they will present a detailed, definitive report on the project to the Doumeng Group. They hope that it will be conclusive for everyone: For Paris and Antananarivo.

Yesterday we were able to learn the general outline of this report. It is apparent that the north and the south of Toamasina would be "very favorable for the project," and that thus far the French scientific missions sent by the FAO [Food and Agriculture Organization, Rome] on behalf of the INRA [French National Institute of Agronomic Research] have performed only statistical and geographical studies which, 10 years later, have yielded nothing concrete for Malagasy fishermen.

"The possibilities are nonetheless very great," Rene Coustellier avers. "They require extensive planning in all fields. This is what emerges from the studies done on certain watercourses, certain rivers and ponds, certain swamps, the mouths of certain rivers, etc.... A complete network for fishing."

Diverse Techniques

The studies done by the men from the Doumeng Group recommend the following fishing methods:

Inshore fishing with a net called the "Bourgin," which would be capable of feeding many families. For local consumption, freezing and exporting of fish fillets. This method requires high technical skill, which will nonetheless be very easily assimilated by Malagasy fishermen.

Fishing in river mouths. In Madagascar there are very many rivers, and thus many river mouths. This method requires fishing tackle.

Fishing on rivers with bow nets, "savolans," and low-volume engines. Fish are "intelligent." All the wiles of the Sioux must thus be used. Personnel, trucks, and keep nets for collecting the fish along the banks are needed.

Fishing in lakes, ponds (fresh, brackish or saltwater), to be done with nets. Enormous production; substantial profits. French fishing advisers are needed on site. But this would be very expensive. According to the organizers of the project, it would be better to send young Malagasy fishermen to France for training. In that case, government agreements would be desirable.

Versatility

There are, of course, other methods of fishing. Rene Coustellier's enterprises are versatile. With an investment of 1 billion Malagasy francs, he would propose the creation of a true fishing industry in Madagascar.

He even has a plan for a "fish farm" which he envisages combining with the project. He is convinced that the existence of all the natural and human conditions (manpower, technicians, etc.) will further contribute to the success of the enterprise, which will bring the country "significant, if not to say enormous, amounts of currency."

Finally, eel fishing in particular is highly attractive to Rene Coustellier. As is known, this "noble and consumable" fish is highly valued in Europe. And there are eels aplenty in Madagascar.

But all of this is only at the preinvestigation stage. It is up to the two parties to work together to see what would be advisable to undertake. In any case, the enthusiasm of these fishing experts is a pleasure. For they would come not to plunder our waters but to teach Malagasy fishermen to derive the maximum profits from a great resource. There is not yet sufficient awareness of all the future favorable repercussions of this resource for the Malagasy economy.

9380
CSO: 5200/5631

DETAILS ON TUNA FISHING WITH FRENCH GIVEN

Victoria NATION in French 3 Feb 82 pp 1, 2

[Article: "Encouraging Results: 600 Tons of Tuna in 2 Months"]

[Text] The "Yves de Kerguelen" returned to port last Saturday with a cargo of 600 tons of tuna caught during a 2-month period.

These results are completely satisfactory, in the opinion of Raynaud, the general manager of the French firm COFREPECHE, which, under the terms of the agreement signed last March between the Seychelles and French governments, is directing the campaign. Considering that the boat has a storage capacity of 700 tons, "we nearly filled it," Raynaud notes.

Drawing Conclusions

On the basis of these results, is it possible at this time to draw conclusions as to the future of seine fishing in the Seychelles?

It is still too early to make any claims whatsoever, Raynaud feels; conclusions can be drawn only on what has been done. And what has been done is judged positively, even though the best conditions did not come about until the conclusion of the trip, the first months' results were very disappointing, the weather was bad, the boat was unable to return to the port of Victoria during the curfew, and a slight mechanical problem occurred.

Despite these unforeseen events, the fishing was good during the last month, thanks in large part, it must be noted, to the intertuna search plane which scoured in all directions and signaled regularly to the boats the zones which were abounding with fish and to which they should steer.

Major Economic Development

Thus it can be assumed, without going so far as to state it, that seine fishing is possible in the Seychelles, provided, however, Raynaud emphasizes, that there are good boats, good nets, and good crews composed of men well versed in the very special and difficult trade of fishing.

To this should be added good climatic and hydrological conditions and the necessity of following the tuna, this great migrant, wherever he goes. If all these conditions are met, and as long as results as good as those just obtained could be achieved with sufficient regularity, this type of fishing "could lead to a major economic development," Raynaud tells us.

9380
CSO: 5200/5631

END

JPRS 80733

5 May 1982

Worldwide Report

LAW OF THE SEA

No. 195

FBIS FOREIGN BROADCAST INFORMATION SERVICE

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WORLDWIDE REPORT

LAW OF THE SEA

No. 195

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COMPUTER USE CHANGING FACE OF OFFSHORE DRILLING

Perth THE WEST AUSTRALIAN in English 3 Mar 82 p 60

[Text]

The era of huge control rooms with a myriad of dials and gauges has been replaced by the space age industrial control room consisting of sopsisticated colour graphics terminals and complete computer-control of all functions of the plant.

The trend from analog measuring instruments to the intelligent digital controllers has been subtle and relatively recent. Honeywell was one of the early researchers in this area in the late 1960s and continued its research and development through to 1975, when it released its 2000 series systems.

As modern industrial plants became extremely sophisticated, studies suggested that conventional control panels were no longer suitable for plant control. Specifically, how could one or two operators keep track of the processes of production, adjust temperatures, add extra chemicals and so forth?

The logical solution to the problem was to partition the various functions into discreet units and apply intelligent black-box technology. That is, use a microprocesser to carry out the required functions rather than have a human monitoring the process.

Evolution

From these ideas Honeywell developed its distributed-architecture systems which evolved into the TDC 2000 system for industrial control. TDC stands for totally distributed control and Honeywell called it the 2000 series because it believes the system will be valid to the year 2000 and beyond.

The modern control centres use large visual display units as the human/machine interface and bring the information to the operator rather than have the operator moving along a bank of dials to seek the current status of operations. In effect, this technique extends the operator's sphere of influence in both process and geographical terms.

The control system which Honeywell is installing for Woodside is part of the phase one domestic gas plant and will be used to monitor the gas flow from the many offshore wells to the plant at Burrup Peninsula.

The North Rankin A platform will be 130 kilometres offshore and will house a control console. A radio link to the shore will connect a second console, which could control the entire platform in the event of the platform being abandoned. There are further links to Karratha and back to the management information systems at Perth office.

Each platform will have 15 microcomputers and one mainframe computer to monitor the valves and 1500 other process points. Onshore there are a further 100 microcomputers and two mainframe computers making up several million dollars worth of computing equipment in phase one of the project.

Customers

The impressive list of Honeywell TDC 2000 customers in Western Australia includes Worsley Alumina, Coates Vanadium, BP Kwinana, and Alcoa at Wagerup and Pinjarra. One can gauge Western Australia's presence in the heavy processing industry when you consider that 25 of the 120 TDC 2000 systems installed in Australia are located in WA. Some 1200 have been installed world-wide.

Honeywell has trained over 1000 West Australians in the use of its equipment and operations and has one of its seven manufacturing centres located in Australia. Equipment is assembled here to meet local configurations.

About 1400 people are employed and about 70 per cent of the equipment can be classified as local content.

Honeywell has assembled the entire North-West Shelf computer control system in Perth headquarters for testing and training purposes. It will be dismantled later and transferred to location though the new Honeywell service centre in Karratha.

An interesting feature to computer personnel is the sophisticated colour graphics used on the operator's consoles. By pressing special keys, the operator can get a colour diagram of various sections of the plant displayed with a status report on specified inputs.

Changes

Plant control systems are not usually regarded as one of the glamour areas of the computer industry, but it is an area that has undergone prolific changes in the last five years with the introduction of microprocessers.

This trend is likely to continue, making control of very large systems possible from a single site.

In more ways than one 1984 might be just around the corner.

CSO: 5200/7529

BRIEFS

CANNING BASIN DRILLING--SYDNEY--The deep Phoenix No. 2 well in the Canning Basin off the West Australian coast is expected to spud today. Interest holder, Offshore Oil NL, said yesterday the well was designed to probe triassic gas-bearing sands which were encountered in the Phoenix No. 1 well drilled in the first half of 1980. Phoenix No. 1 was drilled to a depth of 4850m but technical problems, including high pressures, prevented full evaluation and testing of the hydrocarbon shows. Phoenix No. 2, which will be drilled by the drill-ship "Ben Lomond," is 7 km north-east of Phoenix No. 1. The target depth is 5000m. [Brisbane THE COURIER-MAIL in English 6 Mar 82 p 17]

CSO: 5200/7529

TOPICS OF PRIMARY INTEREST COVERED IN DRAFT CONVENTION

Jakarta HARIAN UMUM AB in Indonesian 17 Mar 82 pp 1, 7

[Excerpt] Indonesia's principal interests in the Law of the Sea conference, such as the Archipelago Concept, the continental shelf and exclusive economic zones are no longer a problem, since they are included in the draft convention.

Foreign Minister Mochtar Kusumaatmadja told this to the press at Halim Perdanakusuma Airport on Tuesday morning, upon his return from a trip to London, The Hague and New York.

The United States is complicating matters in the provisional draft containing restrictions on sea bed mining. As a nation which mines minerals, Indonesia is involved.

"Efforts to reach a compromise on sea bed mining will be dealt with further at a second session in New York," Mochtar stated.

He also noted that the American "review policy" with regard to decisions taken on sea bed mining to date would delay decision.

He said the American proposals would destroy the results of tireless efforts over several years, and discussion of the American proposals would be lengthy.

Thus, Mochtar noted, all participants in the conference, including Western European nations, were concerned about the American attitude.

"They want the conference to end in 1982, in keeping with the work schedule agreed to by all, including the United States.

He said debate was still under way, and would continue till the end of April.

9197
CSO: 5200/8209

MINISTER PROPOSES OIL SPILL SURVEILLANCE SCHEME

Bridgetown ADVOCATE-NEWS in English 26 Mar 82 p 1

[Text] Minister of Education Miss Billie Miller has called for the institution of a daily 24-hour Oil Spill Surveillance patrol off the coasts of Barbados by the Coast Guard section of the Defence force.

At this point, she told the House of Assembly on Wednesday, such a patrol may well be the most important function of the Coast Guard and she hoped that there would be enough funds for the required frequency of patrols.

Her comments were made during debate on Head 17 Defence and Security as the discussion on the 1982-83 Estimates continued.

Miss Miller said it was important for Barbadians to understand how the country could be affected by an oil spill. She pointed out that an exceedingly large quantity, nearly 80 per cent of the world's oil passed through the Caribbean Basin each year and some one billion barrels of crude oil passed through what was known as the "Caribbean corridor" each day.

She said that the importance of monitoring oil spills was underlined by the fact that most of the islands in the Caribbean chain depended to a great extent on tourism and the people also ate a large quantity of their protein from the sea.

Given the quantity of crude oil which passed through the area, she noted sooner or later there will be an oil spill of major proportions, observing that the islands had been narrowly spared by the tanker collision off Trinidad and Tobago a few years ago.

The minister said the consequences of an oil spill in the area were many and this was where the Coast Guard had a role to play. On a daily basis, she said, the Coast Guard should not only be monitoring smuggling and other illicit pastimes, but also the large number of ships and tankers which wash out their bilges in the waters of most of the islands or just outside.

Already, she said, Barbadians could see the tar balls on the beaches and she described that as only the thin edge of the wedge. She said it was possible for even a medium-sized oil spill to put paid to the current industry for at least one year and also destroy most of the marine life, including the coral reefs which protect the islands from the ocean.

Miss Miller said that when she had responsibility for the Ministry of Health, a study had been done on the effects of crude oil on the coral reefs and the results were frightening.

She added that it was important for the Coast Guard to go out with as modern equipment as Government could afford to give it and monitor the situation. She said she had recently been given the assurance that oil spill surveillance was being carried out, but she was not sure if it was being done with the frequency necessary to protect the country from the horrors of an oil spill.

The Minister said it was also necessary to prosecute those ships and tankers whenever possible and the country should never underestimate the damage and danger to its survival posed by an oil spill.

CSO: 5200/7528

CONTINENTAL SHELF DISPUTE ADJUDICATED

Paris LE MONDE in French 26 Feb 82 p 5

[Article by Rene Ter Steege]

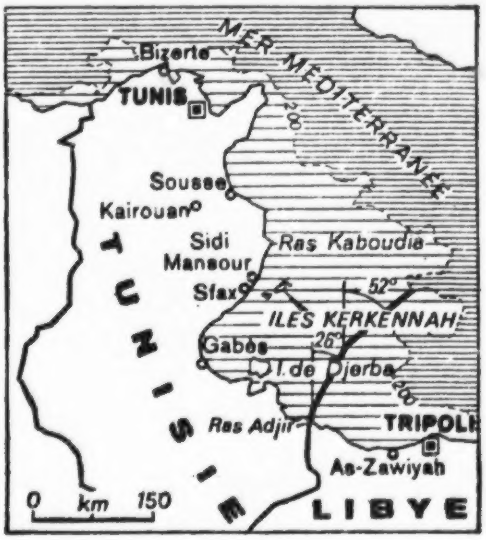
> [Text] Colonel Qadhafi spoke privately with President Bourguiba for a half-hour on Wednesday, 24 February, in the Palace of Carthage. The two men had not met together for 5 years. Televised reports gave the impression that this was a warm meeting. That same day, the International Court in The Hague rendered its judgment in the dispute between Libya and Tunisia concerning the Mediterranean continental shelf: The dividing line established coincides approximately with the one on which France and Italy had agreed at the time of colonization.

The Hague--The International Court of Justice rendered a decision on Wednesday in an effort to end the dispute between Libya and Tunisia over delimitation of the continental shelf, a dispute which has existed since the collapse of the draft merger agreement signed in 1974.

The two countries agreed in December 1978 to submit their dispute to the International Court and to abide by its decision. According to the stated positions, Libya claimed rights over Mediterranean waters along a northward projection of the African landmass, while Tunisia considered the natural extension of its eastern coast as its own territory.

The court--the principal legal body of the United Nations--recommended a distinction of two sectors of the continental shelf. In the first case, the delimitation begins at the outer limit of both countries' territorial waters, where this limit intersects a straight line drawn from the border point of Ras-Adjir at an angle approximately 26 degrees east of the meridian. From there it proceeds northeast as a straight line at the same 26-degree angle until it crosses the parallel of the westernmost point of the Gulf of Gabes coast. Beyond this latitude, the second sector begins. Its delimitation curves eastward along a straight line forming a 52-degree angle with the meridian.

The court's decision was approved by a vote of 10 to 4 (France, Senegal, Japan, Tunisia). It is now up to Libyan and Tunisian experts to officially delimit each country's zones in order to conclude a treaty. In its decision, the court recognized the existence of a single continental shelf common to both countries. The region considered includes the Tunisian coast from Ras-Adjir to Ras-Kaboudia, the Libyan coast from Ras-Adjir to Ras-Tadjoura, the parallel of Ras-Kaboudia and the meridian of Ras-Tadjoura. Last year, the court rejected Malta's request to participate in the deliberations.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According to the court, the oil concessions granted to the French ELF-Aquitaine company by Tripoli in the 1960's are still binding for Libya.

In pleading its case, Tunisia made reference to its relative scarcity of oil and natural gas. The court judged, however, that the economic aspects of the territorial dispute could not be considered. The Tunisian delegation was noticeably disappointed, since the decision generally maintained the status quo, which Tunisia considered quite unsatisfactory.

11915
CSO: 5200/5004

MEETING OF FISHING MINISTERS REPORTED

Dakar LE SOLEIL in French 11 Mar 82 p 5

[Article by Mamadou Oumar Ndiaye: "Preparing A Joint Fishing Policy"]

[Text] The fourth conference of the fishing ministers of the five countries in the sub-region (Senegal, Cape Verde, Gambia, Guinea-Buissau and Mauritania) concluded yesterday afternoon in Dakar with the signing of a declaration on the preservation, conservation and development of the fish resources of these countries. A coordinator, our fellow countryman Babacar Seck, was also named to the head of the committee charged with coordinating the fishing policies of the countries involved and assumes this post on a provisional basis.

The designation of a coordinator at the end of this conference marks the culmination of a long process begun in 1976 on the initiative of our country to prepare a joint fishing policy among these five countries who have the same fish resources, the same stock of fish who migrate from one country to another due to biological changes (particularly the deep sea fish who are great migrators). It was on the basis of this awareness of having the same problems concerning fishing and the fact that any unregulated exploitation of a given species in one country could have serious repercussions in the others, that the initiative was made to call together the fishing ministers of the sub-region in October 1976 to give rise to common consideration of this problem. The idea then advanced by Senegal on the necessity of a joint fishing policy was favorably received by the ministers present in Dakar.

A second meeting, this one composed of experts, was held in Banjul in February 1978, from which the necessity of creating a legal structure to promote cooperation among the various countries in regard to fishing emerged.

Contacts were then made with the FAO [Food and Agricultural Organization] which made two legal experts available to the committee for coordinating fishing activity. These two legal experts, together with the acting secretary of the committee, visited the various countries in the region with a view towards cooperating with the respective authorities and preparing for the second conference of ministers which took place in Nouakchott in June 1980. The Nouakchott declaration, adopted at the conclusion of the conference proposed the procedures to be established. It involved: the conference of ministers which meets once per year and the coordinating committee which includes the fishing ministers of the five countries (or their representatives). It is up to this committee to designate the coordinator of the actual fishing policies, the working mechanism for executing the decisions of the conference of ministers. In January 1981, our country was asked to designate an official for the post of coordinator. Which was done through diplomatic channels. But certain countries never acted on this nomination and the committee's activities were shelved. It was to reactivate this project so dear to our country therefore, that we convened this fourth conference which was opened by Mr Robert Sagna, secretary of state for deep sea fishing, yesterday morning in the presence of the Cape Verdian Minister of Economy and Finance, Mr Osvaldo Lopes da Silva; the Gambian minister of water resources and environment, Mr Omar Jallow; and the representative of the Guinea-Bissau, Minister of Fishing, Mr Alexander Nunes Correa.

At the end of the sessions, the three ministers present (from Cape Verde, Gambia and Sengal) signed the Dakar declarations after having approved the nomination of a permanent coordinator who will be charged, under the direction of the coordinating committee, with overseeing the proper execution of decisions made by the council of ministers, among other responsiblities. As for the Republic of Guinea-Bissau, it will sign the declaration today through the intermediary of its ambassador to Dakar. The declaration signed by the conference of ministers defines priority sectors. It involves, among other things, the promotion of small-scale fishing and development of fishing fleets and national fishing industries, the encouragement of joint companies, and the conclusion of fishing agreements among the countries of the sub-region.

The signers of the declaration also established as goals the adoption of a common policy on the activity of foreign fishermen in the sub-region and joint strategies in international industry, the bringing into agreement of the legislation of the various countries on the granting of fishing permits and the determination of the nationality of fishing boats, and sub-regional cooperation in the marketing of fish products.

The conference of ministers also entrusted the new coordinator with a certain number of tasks, including contacting COPACE [Eastern Central Atlantic Fishing Committee] to send a mission to study current data collection systems in the sub-region and organizing a technical meeting to draft a single system of catch data for the five countries.

The new coordinator is also to contact COPACE to obtain the report on surveillance of fishing areas, to study methods for applying the 60 millimeter net proposed by COPACE in the five countries, and finally to propose a minimum size below which no species may be caught.

The coordinating committee, which will have its last meeting of the year in Banjul in December, will examine the status of the execution of the various tasks, while the minister's conference will take place again in Banul in March 1983. Note that the minister's meeting was preceded by the meeting of the experts who spent 2 days preparing files to be submitted to the ministers' attention.

9693
CSO: 5200/5639

GABON

BRIEFS

U.S. POSITION 'THREATENS' LOS DEBATES--A big diplomatic battle brings into conflict at this moment in the United Nations in New York the Third World and the superdeveloped countries of the north. On the agenda of the debates: the exploitation of the wealth which rests on the bottom of the oceans. The debates have been dragged out for years, without any party yielding as to the basic essentials. But a "revolutionary" agreement was all the same reached last year, since it had been decided that this submarine wealth was the patrimony of all mankind and that its exploitation should be carried out in an international manner. Now there is something new, the supergreat power of the north is balking, and is laying down new conditions; so that it brings back the debates to the starting point, and sweeps out with the back of its hand all these years of hard negotiations. I, Makaya, understand nothing any longer. What a strange world is this diplomatic world where the will of a single great country can wreck that of a hundred other countries all nevertheless recognized as equal in this great glass palace which is the United Nations. An agreement which runs the risk of falling in the water (quoi)!...Makaya [Text] [Libreville L'UNION in French 19 Mar 82 p 1]

CSO: 5200/5648

COOPERATION TO CONTROL TERRITORIAL WATERS REPORTED

Port Louis L'EXPRESS in French 27 Feb 82 pp 1, 7

[Article: France Wants To Finance Port Construction In Agalega--South Korea Could Offer Patrol Boats To Mauritian Government]

> [Excerpt] The French Government has expressed an interest in financing work on infrastructures in Agalega. More specifically, this involves construction of port facilities enabling safe berthing for certain kinds of boats in Agalega.

Construction of these port facilities is considered in certain administration circles to be an important stage in the development of Agalega, considering the government's strategy to make the best use of this island's agricultural and strategic potential.

In fact, with the construction of this port in Agalega, the other components of the development program for these two islands would be more rapidly accomplished.

According to certain official sources, French interest in participating in the construction of a port in Agalega is motivated by the fact that the French frequent this part of the Indian Ocean. Recordings to establish geologic charts of the St James harbor were made by French experts on the "Champlain." The topographical map and summary report were submitted to the minister of foreign affairs, Sir Harold Walter, by the French ambassador, Mr Jean Jacques Mano, at the end of last year. This research benefited from French financial support in the amount of 173,000 French francs. The financing was approved by the joint French-Mauritian commission.

The government's strategy in developing Agalega is to provide the island with a small fishing port which will also serve as a base for patrolling the Mauritian trade zone. In this regard, the Mauritian Government has received preliminary notification from the government of South Korea concerning a gift of patrol boats to comb the Mauritian shipping zone.

Mauritian authorities also intend to station a division of the "Special Mobile Force" in Agalega.

9693
CSO: 5200/5639

SISMIK-1 TO ENTER 'DISPUTED WATERS'

Istanbul CUMHURIYET in Turkish 7 Mar 82 pp 1, 9

[Report by Sedat Ergin]

[Text] Ankara--The MTA [Mining Research Institute] Sismik-1--formerly Hora--exploration ship has completed necessary technical preparations for sailing into the Aegean. Following Greece's violation of the Bern Agreement and oil exploration activity in disputed regions in the Aegean outside its 6-mile territorial waters, it has been decided to prepare the Sismik-1 such that it will be ready to sail into the Aegean "any time." By sending Sismik-1 into the Aegean Turkey will resume the exploration for oil in the disputed waters.

It has been decided to send the Sismik-1 into the Aegean if Greece does not respond in a "reasonable period of time" to Turkey's demand for explanations. According to information received from reliable sources, the sailing of the Sismik-1 into the Aegean within this week is seen as a serious possibility. Prime Minister Bulend Ulusu is expected to broach this issue at the press conference he will hold this week.

The event that triggered these developments was Greece's oil exploration moves around the end of January in a disputed area to the east of the Tasoz island outside its 6-mile territorial water limits. This act constituted a violation of the 1976 Bern Agreement. In the light of "serious information" to the effect that Greece had stepped outside its territorial water limits, Ankara made diplomatic representations to Athens. In this representation, which took place over 20 days ago, Athens was reminded of the Bern Agreement clauses which stipulate that neither side will explore for oil in the disputed areas until agreement is reached on the continental shelf issue, and an official explanation was demanded from Greece in view of this violation.

The Foreign Ministry spokesman, Ambassador Nazmi Akiman, announced to the press 2 days ago that there is serious information that Greece is involved in exploration work outside its territorial waters and that Athens has been asked to provide explanations on this issue. Asked about how Turkey will respond to this attitude of Greece's, the spokesman said: "At this stage we do not wish to speculate on what measures our side might take." The spokesman added that Greece is expected to respond in a "reasonable period of time."

The impression among reliable sources in the capital is that is Greece does not respond within this "reasonable period of time" Turkey will send the MTA Sismik-1--which currently is undergoing maintenance work in Istanbul--into the Aegean.

In a statement some time ago, Minister of Foreign Affairs Ilter Turkmen said that if Greece unilaterally violates the Bern Agreement, the other side will automatically have the right to retaliate.

If the MTA Sismik-1 sails into the Aegean Sea it will carry out seismic exploration. The purpose of seismic exploration is to learn about the structure of the sea floor by analyzing the vibrations echoed back to the surface from sonic bombs placed on the sea floor. Seismic exploration alone cannot tell definitely whether there is oil under the sea floor. However, it can tell whether there is a reasonable chance of finding oil. It is necessary to drill a well to know definitely whether oil actually exists.

First Sailing Into Aegean

Greece first began exploring for oil on the continental shelf outside its territorial waters in 1979. The continental shelf issue became an explosive problem between Turkey and Greece in 1975 when the Ecevit government sent the Candarli exploration ship into the Aegean for the first time in 1974. The MTA Sismik-1 began its exploration work in the Aegean in 1976 under the Demirel government.

After the tense experience in the Aegean, the Bern Agreement was signed in 1976 whereby both sides agreed not to explore for oil in the disputed waters until a negotiated agreement is reached on the delineation of the continental shelf.

Greece Asks India for Help on Cyprus

Meanwhile, according to an ANKA [Ankara News Agency] report from New Delhi, Greek Foreign Minister Ioannis Haralambopoulos has asked India for help in the solution of the Cyprus problem. Haralambopoulos is visiting India with Greek President Constantine Karamanlis. It is reported that during a meeting between Haralambopoulos and Indian Foreign Minister Narasimha Rao, the Palestine problem and bilateral relations were discussed in addition to the Cyprus problem.

It is reported that Haralambopoulos conveyed to his Indian colleague his viewpoint that foreign troops must be withdrawn from Cyprus for a solution of the Cyprus problem.

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END

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11 May 1982

Worldwide Report

LAW OF THE SEA

No. 196

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LAW OF THE SEA

No. 196

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'KYODO': NO PROGRESS IN SALMON TALKS WITH USSR

OW200027 Tokyo KYODO in English 0006 GMT 20 Apr 82

[Text] Moscow, April 19, KYODO -- No progress was made in Russo-Japanese negotiations here Monday on Japan's salmon catch quota this year in the northwest Pacific waters and on other problems, Japanese officials said.

At the meeting, Akira Matsuura, head of the Japanese Fishery Agency, and Soviet First Vice Fishery Minister Nikolay Kudryavtsev reiterated their proposals made last week.

The Soviet Union proposed on April 14 that Japan's catch quota in 1982 be held down to 37,000 tons, or 5,500 tons less than the 42,500 tons agreed on last year, while Japan sought a quota of 45,000 tons.

Matsuura arrived in Moscow last Saturday in an effort to break the impasse in negotiations in time for the start of fishery operations on May 1.

Japanese and Soviet negotiators were scheduled to meet on Tuesday to discuss such problems as joint surveillance of Japanese salmon fishing operations.

CSO: 5200/2071

AGREEMENT REACHED WITH USSR ON SALMON QUOTA

OW221113 Tokyo KYODO in English 1106 GMT 22 Apr 82

[Text] Moscow, April 22, KYODO -- Japanese-Soviet negotiations to fix 1982 catch quotas for salmon caught in the northwestern Pacific concluded Thursday in Moscow after the two parties agreed to keep Japan's quota at 42,500 tons, the same as that in 1981. The two parties also agreed that Japan should again pay yen 4 billion as fees, also the same as in 1981.

During the negotiations, the Japanese side accepted a Soviet proposal on joint surveillance of the fishing operations which would involve the presence of Soviet observers on Japanese patrol ships. The joint surveillance is intended as a precautionary measure to prevent Japanese fishing boats from violating the rules and restrictions imposed on their salmon fishing operations in the northwestern Pacific waters. It will be the first time that such steps have been implemented.

CSO: 5200/2071

BRIEFS

USSR CAPTURES JAPANESE BOATS--Saproro, April 17 (KYODO)--Two Japanese fishing boats appear to have been captured by Soviet patrol boats in the western Bering Sea, east off Karaginsky Island near the Kamchatka Peninsula, the Maritime Safety Agency said Saturday. The two boats were identified as the 349-ton No 81 Yoshi Maru with 25 crew and the 349-ton Fukui Maru carrying 23 crew. They sent emergency signals to the MSA headquarters in Otaru saying they were being inspected by a Soviet warship around 4:30 a.m. Friday. No further communication was received, however. The two fishing boats left Kushiro port early April to fish in waters off Kamchatka Peninsula until early May. Six fishing boats, with some 100 crew in total have been captured by Soviet patrol boats so far this year. [Text] [OW170602 Tokyo KYODO in English 0551 GMT 1 Apr 82]

CSO: 5200/2071

DPRK OFFICIAL DISCUSSES FISHERY ACCORD

OW182353 Tokyo NHK Television Network in Japanese 1430 GMT 18 Apr 82

[Text] According to correspondent Yokosawa in Pyongyang, Hyon Chun-kuk, deputy director of the Korean Workers Party International Department, met with Japanese journalists in Pyongyang this afternoon.

At the meeting, he said that it is up to Japan whether the Japan-DPRK fishery agreement, which is to expire in June, is renewed or not. The fishery agreement is a private-level accord which is renewable every 2 years. The current accord is set to expire this coming June.

At today's meeting, Deputy Director Hyon said: Last year the Japanese side proposed that the fishery talks be conducted in Tokyo; however, the Japanese authorities have thus far refused to allow our delegation entry into Japan. The DPRK has nothing to lose if the accord is not renewed. The renewal of the accord is up to Japan.

CSO: 5200/2071

BRIEFS

ABALONE FISHING BAN--Vietnamese amateur fishermen have been blamed for an indefinite ban on abalone catches along Perth's beaches. The move comes after mounting complaints by professional and other amateur fishermen that Vietnamese families living in Perth are fishing out nearby reefs and threatening reef ecologies. The ban does not cover professional fishing of abalone. The zone affected extends from 60km south of Perth to the mouth of the Moore River. The Vietnamese have been descending on the reefs in constantly increasing numbers, often in large family groups. Some have been taking more than the limit of 36 abalone a person a day. A fortnight ago, several professional fishermen made a citizen's arrest of some of the amateurs and called in government inspectors to check the size of the catches. Announcing the ban, the Government said: "The decision followed an increased level of fishing plus evidence that groups of people had been found with catches of abalone far in excess of the legal limit of 36 per person." The Premier, Mr O'Connor, has called for a study of the threat to the reefs. He said: "Already a number of prosecutions are proceeding because of breaches of current regulations and persons found contravening the new ban will be prosecuted." [Text] [Canberra THE AUSTRALIAN in English 10 Mar 82 p 2]

BASS STRAIT DRILLING--The new $240 million search for oil in Bass Strait will swing into the drilling phase in early May. First off the mark will be the consortium headed by Shell, which plans to drill an exploration well in the northern part of the permit it won in last year's licensing round. Shell's group won the deep-water area, V80-3, while consortia headed by Australian Aquitaine and Phillips won the other two areas relinquished by Esso-BHP. The semi-submersible rig, Diamond M Epoch, will drill the Shell group's first well into a fault trap lying on the basin side of the Rosedale fault system. It will prove more costly than the $5 million to $10 million cost typical of Bass Strait wells because the water is so deep--120m. The well's target depth is 2000m, and Shell has maintained, in a fashion, the fishy flavor adopted by the Esso-BHP partnership in naming the well. But unlike Esso-BHP, which gave its wells and fields names such as Bream, Flounder, Tuna and the like, the first well by the Shell group will be called Hammerhead. It is thought likely the group will name later wells after other varieties of shark. [Text] [Canberra THE AUSTRALIAN in English 11 Mar 82 p 13]

NT OFFSHORE ACTIVITY--Melbourne--The offshore Northern Territory exploration well, Vulcan No. 1, located in licence area NT/P2, was spudded on March 8, Weeks Australia Ltd reported yesterday. Total planned depth is 4000m in a water depth of 110m. The well's target is a structural close adjacent to a large graben or trough running northeast to southwest through the permit area. "Oil prone source rock exists in the Kimmeridgian-Oxfordian (Jurassic) shales which are at least 1200m thick in portions of the Vulcan Graben," Weeks said. "The well is on the opposite side of the major fault system to the Swan structure where gas and condensate reservoirs of upper cretaceous age and jurassic oil prone source rocks were penetrated." Weeks has a 23.75 percent interest in this area of the licence. Western Australia Onshore Oil NL reported yesterday that the Yardie East No. 1 well in the Carnarvon Basin has drilled 3829m of its planned deviation drill of 5650m and is drilling ahead. The well is being drilled as a deviated hole from a shoreline surface location and has a planned vertical depth of 4,200m. It is being drilled under a farm-in agreement with the permit holder, WAPET. [Text] [Brisbane THE COURIER-MAIL in English 11 Mar 82 p 29]

OFFSHORE TASMANIA PLANS--Australian Consolidated Industries has continued its big push into resources by taking its first direct interest in petroleum exploration. ACI chairman Sir Andrew Grimwade said yesterday the company had taken a 25 percent interest in an exploration project off the western Tasmanian coast where the operator is the US-controlled Amoco group. ACI's farm-in will mark the first Australian in the venture which involves two areas, permit T/12P and offshore licence 5/75. Amoco will be left with a 50 percent interest in the areas with remaining 25 percent split between a subsidiary of the Fluor group and Anschutz Overseas Corp. ACI signalled its desire to get into petroleum exploration some months ago when it unsuccessfully tendered for a keenly-sought Bass Strait lease. The company has a stated policy of placing 25 percent of its assets in resources during the 1980s. Until now, its resource activity has been restricted to participation in three big Queensland coal projects--the Curragh coal area (a 30 percent interest), German Creek (13 percent), and a stake in the Blair Athol development. Drilling is scheduled to begin on the Tasmanian areas in the second half of this year and the first well will be located about 15km northwest of Cape Sorrel. Sir Andrew said ACI's share of drilling costs would be financed out of ACI's existing loan facilities and shareholders would not be called on for further funds for the venture. [Text] [Canberra THE WEEKEND AUSTRALIAN in English 13-14 Mar 82 p 20]

CSO: 5200/7531

BANGLADESH DELEGATE SPEAKS AT LAW-OF-THE-SEA TALKS

Dacca THE BANGLADESH OBSERVER in English 3 Apr 82 pp 1, 12

[Text] **UNITED NATIONS, Apr. 2:—Bangladesh has made a strong plea for consensus in reaching a universally acceptable convention to govern the law of the sea, reports BSS.**

The pleas was made by Mr. Reaz Rahman, Additional Foreign Secretary and alternate leader of the Bangladesh delegation while speaking on Wednesday at the third UN conference on the law of the sea.

In his call for consensus Mr. Rahman said the interests of all had to be protected and stressed that no unilateral exploration or exploitation could ever acquire the stamp of legitimacy.

Bangladesh suggested that the goal could be achieved by bridging the gaps between the United States and other potential sea bed users on the one hand and the Group of 77 and others sharing its (the groups) concern on the other This could provide the nucleus of a broader agreement on the law of the sea the Bangladesh suggestion said.

The delegation leader also stressed on the common goal of mankind for universally acceptable ocean regime.

He expressed Bangladesh's support to the mandate given to the sea law commission to study in greater deepth the problems of land based producers and also to creation of a second commission for the purpose.

On the question of national jurisdiction, Mr Rahman reiterated Bangladesh's concern to gain recognition and reflection to its claim to a bathymetric baseline due to its unique geographic and geomorphological realities of its coastline.

He also called for adoption of a clear cut methodology in delimiting the maritime boundary and reaching agreements on the basis of equitable solution made mandatory by the current text.

He also reiterated Bangladesh demand for uniformity in the principles governing delimitation & bringing the overlapping jurisdiction in territorial waters into conformity with article 74 and 83.

Bangladesh also suggested extending the provisions covering dispute settlement not only to future situations but also to pending cases of disputes

CSO: 5200/7036

INDIA

MINISTER SPEAKS AT LAW OF THE SEA CONFERENCE

Bombay THE TIMES OF INDIA in English 2 Apr 82 p 9

[Text] United Nations, April 1 (UNI). India has supported giving the western consortia, or "pioneer investors," an access to seabed resources, but has made it clear that the privilege should not be theirs alone.

The law minister, Mr. Jagannath Kaushal, expressed broad agreement yesterday with recognising "the contribution made by pioneer investors in promoting seabed mining." "This would assure the industrialised states of their access to the resources of the area in an orderly and regulated manner without creating a monopoly", he said.

He, however, advised the third United Nations conference on the law of the sea against closing the door to a possible participation by developing countries in this direction.

The conference is at present debating a proposal by a working group to protect pioneer investors in seabed explorations before the convention enters into force.

Mr. Kaushal referred to the circulation, a few days ago, of a paper that listed six consortia and the Soviet Union as the entities and state respectively, engaged in seabed surveys, and noted, in this context, that India, "bearing in mind our need for mineral resources for economic development, had begun to explore this common heritage of mankind — the riches of the sea."

Describing to the delegates how India had through its research vessel lifted polymetallic nodules from a depth of 5,000 metres from the Indian Ocean in January, 1981, he told the conference that India had already spent several million dollars in this effort, besides the cost of ships, and that further research and survey were under way.

NAMIBIAN COUNCIL

The minister proposed that the "position of developing countries should be on a par with the other pioneer investors, and not made inferior to them," and added that this would promote the effective application of the convention to all states without discrimination, at the same time avoiding the establishment of a monopoly in the hands of a few industrialised countries.

On national liberation movements, Mr. Kaushal said his government supported their interests "both emotionally and politically," and felt the U.N. council for Namibia should be a party to the convention.

The council was established 16 years ago when the General Assembly dubbed the racist South African regime there illegal and decided to bring Namibia under direct U.N. control, a move yet to be implemented.

CSO: 5200/7035

BRIEFS

OFFSHORE DRILLING CONTRACTS--Tokyo, March 31. A $78 million contract for the construction of three offshore oil exploration platforms in the Bombay High area has been awarded by the Oil and Natural Gas Commission to a French-Japanese consortium. According to reports here today ONGC has placed a letter of intent with the group led by France's ETPM ending months of speculation over the selection of the successful bidder. The Japanese parties of the consortium are Kawasaki Steel Corporation and Hitachi Shipbuilding and Engineering Company. The ETPM group was the second lowest bidder in the initial bidding after McDermott Incorporated of the U. S. However, in subsequent private negotiations ONGC is stated to have reacted favourably to the delivery schedules proposed by the French-Japanese group. The contract calls for the delivery of the platforms between February and April next year. The lion's share of the contract goes to ETPM which will undertake the installation of the three platforms. The group which is the world's third largest marine construction company will also manufacture two of the three platform substructures. [Text] [Madras THE HINDU in English 1 Apr 82 p 5]

CSO: 5200/7034

MSA ANNOUNCES DPRK RELEASE OF FISHING BOATS

OW250441 Tokyo KYODO in English 0426 GMT 25 Apr 82

[Text] Fukuoka, April 25, KYODO -- Five Japanese fishing boats seized by North Korea in waters off the Korean west coast Saturday were all released within hours, according to the Maritime Safety Agency (MSA) officer here.

The five vessels of two fishing companies in this western Japanese city were captured by North Korean warships while operating in the North Korean-proclaimed exclusive fishing zone.

North Korean authorities were quoted as saying they released the boats as a guesture to mark celebrations of President Kim Il-song's 70th birthday.

CSO: 5200/2071

ANTIGUA-BARBUDA, GUADELOUPE AGREE TO COOPERATE ON FISHING

Bridgetown ADVOCATE-NEWS in English 30 Mar 82 p 3

[Text]

ST. JOHN'S, Antigua, Monday, (CANA) — The Government of Antigua and Barbuda and the authorities in the neighbouring French islands of Guadeloupe have agreed in weekend talks here to co-operate in the area of fishing.

A high-powered Antigua-Barbuda delegation, which included Minister of Agriculture, Robin Yearwood and the Minister of State in the Ministry of Foreign Affairs, Hugh Marshall met with a team from the French island headed by the assistant to the prefect of Guadeloupe for external affairs, Mr. Max Vincent.

The Guadeloupe authorities agreed to look into the possibility of carrying out a study of the problem of poisonous algae which contaminate the Redonda Fishing Bank off the coast of Antigua and Barbuda.

According to a communique on the talks, the French island also agreed to assist the Antigua-Barbuda Fishing Department in establishing management systems for the fishing industry, to give technical assistance to fishermen here and to invite them to Guadeloupe to familarise themselves with the techniques used by their Guadeloupe counterparts.

During the talks, Antigua-Barbuda noted that it had recently drawn up conservation measures for fishing resources within its territorial waters. As a result, fishermen will be restricted from fishing certain species from April 1, 1982.

There will be restrictions on the fishing of spiny lobsters below the weight of one pound or below the size of nine inches.

The fishing of egg bearing female lobsters will be absolutely prohibited," the communique said.

The government of Antigua and Barbuda has agreed to open discussion with the authorities of the French department of Guadeloupe to study conditions under which Guadeloupean fishermen may be allowed to fish within this country's territorial waters.

CSO: 5200/7530

BRIEFS

FRENCH, ROK FISHING BOATS SEIZED--Bissau, 21 Apr (AFP)--Two French and South Korean fishing boats have been seized by Guinea-Bissau's navy for illegally fishing in the territorial waters of that country, it was learned in Bissau on Wednesday. The minister of justice indicated that the case of the two boats--the "Captain Cook" and the "Han-sung No 5," which are accused of violating Guinea-Bissau's national sovereignty and the international law of the sea, will be submitted to the justice. The fish contents of the two boats have already been seized and sold publicly in conformity with a prevailing law in Guinea-Bissau. [Text] [AB211926 Paris AFP in French 1754 GMT 21 Apr 82]

CSO: 5200/5649

NO FISHING CONTRACTS TO BE GIVEN TO FOREIGN TRAWLERS

Nairobi THE STANDARD in English 8 Apr 82 p 5

[Text] THE Minister for Tourism and Wildlife, Mr. Elijah Mwangale, has said that no fishing contracts would be given to foreign trawlers, whom he accused of soliciting for such contracts to exploit Kenya's fish resources.

Mr. Mwangale, who toured the Fisheries Department in Nairobi yesterday, lashed out at foreign exploiters for organising a "Mafia-type system" among developing countries for exploitation.

He said such notorious activities had been common within Kenya's 200 miles territorial waters which comprised 50,000 square kilometres and the Government was taking stringent measures to cut out the exploiters. He appealed to decision-makers to ensure they do not fail the country. Mr. Mwangale said decision-makers had an obligation for the country's welfare.

He said fisheries had a great potential as a major foreign exchange earner. His Ministry had a heavy responsibility of developing the fishing industry to ensure maximum production to meet the high demand.

He said his Ministry was obtaining huge support from foreign countries to finance various projects. The Italian government had given Shs. 1.5 million for feasibility studies aimed at expanding the fishing industry.

The Ministry was taking appropriate measures to avoid over-fishing in various areas such as Lake Nakuru and Lake Naivasha where almost all the fish had been caught.

The Minister said Kenya's total fish production in 1981 was estimated to be about 55,000 tons which earned more than Shs. 100 million. The greatest producing area was Lake Victoria with nearly 40,000 tons.

Another major production area was Lake Turkana, where the Norwegian Agency for International Development (NORAD) gave aid of Shs. 20 million to establish a modern facility for fish processing.

An additional Shs. 800,000 assistance was received from the European Economic Community for development of fisheries at Loiyangalani in Marsabit. Work on the project was underway.

Mr. Mwangale also said fish farming programmes were underway throughout the country.

He said deep sea fishing could produce more than 30,000 tons of fish per year if properly exploited.

The Ministry intended to establish large-scale fish farming covering 100 hectares in Nyanza with assistance from the World Bank, and the project was expected to produce about 500 tons of fish per year, he said.

CSO: 5200/5650

SUPREME SOVIET ISSUES DECREE ON LAW OF THE SEA

LD180642 Moscow TASS in English 0638 GMT 18 Apr 82

[Text] Moscow, 18 Apr, TASS -- Follows the full text of the decree of the Supreme Soviet of the USSR:

"On Temporary Measures for the Regulation of the Activities of Soviet Enterprises in the Prospecting for and the Development of the Mineral Resources of the Sea-Bed Beyond the Limits of the Continental Shelf"

Lately a number of states have, without waiting for the conclusion of a new international convention being drafted at the 3rd United Nations Conference on the Law of the Sea in keeping with Resolution 2749 of the (25th) United Nations General Assembly, been adopting acts permitting their natural and legal persons to conduct the prospecting for and the development of the mineral resources of the areas of the sea-bed beyond the limits of the continental shelf.

The Soviet Union comes out and will continue to come out for the settlement of urgent problems of the legal regime of the world ocean on an international basis and for the conclusion for this purpose of a convention which would solve all the issues of the law of sea, specifically the issues of the utilisation of the mineral resources of the sea-bed beyond the limits of the continental shelf, comprehensively, in their inter-relation, on a just and equal basis, and taking account of the legitimate interests of all states.

At the same time taking into consideration that other states unilaterally begin the practical development of the mineral resources of the sea-bed beyond the limits of the continental shelf, the Soviet Union is compelled to take measures to protect its interests in respect of the prospecting for and the development of the said resources.

The Presidium of the Supreme Soviet of the USSR resolves:

1. Competent agencies of the USSR can issue permissions to Soviet enterprises for the prospecting for, as well as permissions for the development of the mineral resources of the areas of the sea bed beyond the limits of the continental shelf (hereinafter referred to as "areas of the sea-bed"), to determine the dimensions and geographical coordinates of the areas of the sea-bed in respect of which such permissions are issued.

2. Issuing permissions in accordance with Article 1 of the present decree the Soviet state does not lay claims to the establishment of sovereignty, sovereign or exclusive rights, jurisdiction or the right of ownership with respect to any areas of the sea-bed or their resources, and does not recognise claims of such kind on the part of other states.

The USSR exercises jurisdiction with respect to Soviet legal persons taking part in the conduct of the prospecting for and the development of the mineral resources of the areas of the sea-bed, with respect to ships, stationary or mobile installations used by Soviet enterprises in carrying out the said operations, as well as with respect to natural persons on these ships and installations.

3. On the basis of reciprocity the USSR shall conduct cooperation on matters of the prospecting for and the development of the mineral resources of the areas of the sea-bed with the states which recognise the permissions issued to Soviet enterprises in accordance with the present decree.

The competent Soviet agencies shall notify the states envisaged by part one of the present article of applications received from Soviet enterprises for the issue of permissions for the prospecting for or the development of the mineral resources of the areas of the sea-bed, as well as of permissions issued for the conduct of such work.

4. A permission for the prospecting for the mineral resources of the areas of the sea-bed shall be issued on condition that an application for such a permission mentions two areas recognised as promising with regard to mineral resources. One of these areas is to be utilised by the enterprise which has received the permission, while the other is to be reserved for possible prospecting and development by a future international sea-bed authority.

The total territory of the areas of the sea-bed in respect of which permissions envisaged by the present decree are issued for the prospecting for or the development of the mineral resources of the sea-bed, should not surpass reasonable limits with account for the legitimate interests of other states.

5. Enterprises which have received corresponding permissions acquire an exclusive right for the prospecting for or the development of the mineral resources in the areas of the sea-bed in a region specified in the permission.

6. Enterprises which have received permissions for the development of the mineral resources of the areas of the sea-bed have the right to begin it not earlier than January 1, 1988.

7. On the basis of the treaties between the USSR and the states concerned foreign natural and legal persons can take part in the prospecting for and the development of the mineral resources of the areas of the sea-bed conducted by Soviet enterprises, and the Soviet enterprises -- take part in carrying out the said operations conducted by foreign natural and legal persons.

8. The competent agencies of the USSR conduct cooperation on the basis of international treaties of the USSR with foreign states concerned for the purpose of rendering assistance to them in the development of technology, in the production of equipment, in carrying out measures to prevent the pollution of the natural environment, in the training of personnel and in other matters pertaining to the prospecting for and development of the mineral resources of the areas of the sea-bed.

9. The conduct of the prospecting for and the development of the mineral resources of the areas of the sea-bed by Soviet organizations must not create ungrounded obstacles for the exercise of the principle of freedom of the seas and the legitimate activities in the world ocean, and also must not contradict the international commitments of the USSR under the treaties concluded earlier.

10. The construction by Soviet enterprises of stationary installations for carrying out the prospecting for and the development of the mineral resources of the areas of the sea-bed, and the creation around the stationary and mobile installations of safety zones which may stretch to a distance of up to 500 metres from the installations, counting from any point of their outward edge, is allowed only with the permission of the competent agencies of the USSR. The installations should have means of warning for ensuring the safety of the sea and

air navigation with regard for the norms and standards envisaged by international organizations. The establishment of the said stationary and mobile instllations and the creation of safety zones around them is reported in the "notices to the mariners".

Enterprises responsible for the maintenance and exploitation of the stationary and mobile installations envisaged by part one of the present article should ensure their safety and the maintenance in order of permanent means of warning of the existence of these installations. Stationary and mobile installations, the operation of which has been ended, should be removed if they can create obstacles for the navigation, fishing and other types of the legitimate uses of the seas.

11. In case the prospecting for and the development of the mineral resources of the areas of the sea-bed are carried out by Soviet enterprises with the participation of foreign natural and legal persons, ships, stationary and mobile instllations belonging to foreign natural and legal persons are under the jurisdiction of the corresponding foreign state with the exception of cases when directly envisaged otherwise by a treaty between the USSR and the foreign state concerned.

12. The mineral resources recovered by Soviet enterprises in the areas of the sea-bed, as well as the data and samples received during the prospecting for these mineral resources are state property of the USSR.

13. In case of the prospecting for and the development of the mineral resources of the areas of the sea-bed are conducted by Soviet enterprises with the participation of foreign natural or legal persons, the mineral resources, may in accordance with a treaty between the USSR and the foreign state concerned fully or partially become the property of that state or natural and legal persons under its jurisdiction.

14. In the conduct by Soviet enterprises of the prospecting for and the development of the mineral resources of the areas of the sea-bed necessary measures should be taken to ensure an effective protection of the natural environment from harmful influence which may arise as a consequence of such operations.

15. For violating the provisions of the present decree or the regulations issued in its fulfillment, Soviet officials and citizens found guilty bear criminal, administrative or other responsibility in keeping with the legislation of the USSR and the union republics.

16. In case of disputes with the agencies of foreign states over the issue of permissions to Soviet enterprises for the prospecting for or the development of the mineral resources of the areas of the sea-bed, as well as over actions committed by foreign legal or natural persons creating obstacles for Soviet enterprises in carrying out the operations envisaged by the said permissions, competent Soviet agencies shall take necessary measures to settle them in keeping with the procedures envisaged by the United Nations Charter.

In case foreign legal or natural persons cause damage to the property of Soviet enterprises conducting the prospecting for or the development of the mineral resources of the areas of the sea-bed, the competent Soviet agencies take measures to recover in keeping with the established procedure the damages caused.

17. The competent Soviet agencies ensure security of the citizens taking part in the prospecting for and the development of the mineral resources of the areas of the sea-bed carried out by Soviet enterprises, as well as the safety of the property used in carrying out these operations.

18. Part of the proceeds received from the development of the mineral resources of the areas of the sea-bed by Soviet enterprises shall be used to set up a special fund in accordance with the procedure and in amount to be specified by the Council of Ministers of the USSR.

The proceeds transferred to the fund may be handed over to a future international sea-bed authority for the purpose of the fulfillment of the obligations of the USSR which will arise in connection with a new convention on the law of the sea being drafted.

19. The procedure of the issue of permissions for the prospecting for and the development of the mineral resources of the areas of the sea-bed and of carrying out these operations are to be determined by the Council of Ministers of the USSR.

20. The present decree shall be cancelled after a new convention on the law of the sea takes effect with respect to the USSR.

President of the Presidium of the Supreme Soviet of the USSR L. Brezhnev, Secretary of the Presidium of the Supreme Soviet of the USSR M. Georgadze, Moscow, the Kremlin.

[A comparison of the foregoing TASS text of the Supreme Soviet decree on the Law of the Sea with the version published by Moscow IZVESTIYA in Russian on 18 April in the Morning Edition on pages one and two, the apparent text of the USSR Supreme Soviet Presidium Decree "On Temporary Measures for the Regulation of the Activities of Soviet Enterprises in Prospecting for and Developing Seabed Mineral Resources Beyond the Limits of the Continental Shelf," reveals the following variation:

[IZVESTIYA rewords Resolution No 13 to read:

[13. In case of the prospecting for the development of the mineral resources of the areas of the sea-bed are conducted by Soviet enterprises with the participation of foreign natural or legal persons, the mineral resources extracted in the seabed region and also the data and samples obtained during prospecting for these mineral resources may in accordance with a treaty between the USSR and the foreign state concerned fully or partially become the property of that state or natural and legal persons under its jurisdiction.]

CSO: 5200/2071

U.S. DEMANDING REVISION OF LOS CONVENTION

LD180736 Moscow TASS in English 0730 GMT 18 Apr 82

[Text] Moscow, 18 Apr, TASS -- A heated discussion has been under way for the second month now at the UN Headquarters in New York, at the 11th session of the Third UN Law of the Sea Conference, the newspaper SOTSIALISTICHESKAYA INDUSTRIYA writes today.

The draft convention on the law of the sea was prepared in eight previous years. The draft convention created an international legal foundation for long-term cooperation between all states of the world in various spheres of the use of the seas and development of the resources of the world ocean. This is a single, comprehensive code of principles and norms of contemporary law of the sea, which reflects the balance of accords between all parties to the negotiations and which gives nobody unilateral advantages and benefits.

Articles and the main provisions of the draft convention were approved at the previous sessions by all countries, including the United States.

Influenced by mining and steel making companies, the Reagan administration, which took office early last year, went back on the previous accords and unilaterally demanded a revision of the most important sections of the convention, particularly the section which regulates the norms and the rules of development of mineral resources on the sea bed.

The matter is, the article runs, that American companies, in view of unreliability of raw material imports for the U.S. industry, have lately started displaying a still greater interest in the possibility of extracting strategic raw materials from sea and ocean beds.

The U.S. attempts to have a fundamental revision of the draft convention on the law of the sea were firmly turned down by many capitalist, developing and socialist countries.

The Soviet Union advocates and will continue advocating settlement of burning problems of the legal regime of the world ocean on the international foundation and conclusion for the purpose of a convention, which would provide for a comprehensive settlement of problems in their mutual connection, on a fair and equitable foundation, with due account for the legitimate interests of all states.

Meanwhile, SOTSIALISTICHESKAYA INDUSTRIYA stresses, since other states unilaterally start practically developing the mineral resources of the sea bed outside the boundaries of the continental shelf, the Soviet Union is compelled to take steps to protect its interests in the sphere of surveying and developing sea bed resources.

CSO: 5200/2071

SOLTAN COMMENTARY ON LAW OF SEA CONFERENCE

LD191906 Moscow World Service in English 1600 GMT 19 Apr 82

[Yuriy Soltan commentary on UN Law of the Sea Conference]

[Text] The purpose of the conference is to complete this year the drafting of an international convention in utilization of the resources of the world oceans.

The draft is practically ready. Once the convention comes into force it will prevent over-exploitation of the riches of the oceans and guarantee every nation, without exception access to them.

The Soviet Union, as a nation washed by three oceans, has contributed much to the draft. Its attitude has been that all matters relating to utilization of the mineral resources of the seabed should be adjusted comprehensively on a fair and equal basis with regard for the legitimate interests of all countries. This position has met with the support of most of the other participants in the conference and is central to the draft already prepared.

The previous United States administration finally accepted it too, but now the Reagan administration has withdrawn support. It seems to have made it a practice to violate international treaties and agreements without a second thought. The United States delegation demands a whole series of revisions that would amount to rewriting the draft already agreed. According to the New York TIMES, the United States is doing this to benefit its mining companies. The American Congress has already issued licenses to several corporations to engage in prospecting and mining in deep seawaters beyond the Continental Shelf.

The only countries that have supported the United States at the conference are Britain, Federal Germany, France and Japan. They appear to be attracted by the American idea of ensuring a small group of imperialist states a dominant position in the new economic area of deep sea mining. The large group of developing nations and the socialist nations object to the efforts of the United States and some of its allies to guarantee their corporations practically unlimited rights to mine the seabed. But these efforts have threatened the conference with a breakdown.

The Soviet Union will continue to insist on a fair law governing deep sea mining in the form of an international convention, but in the circumstances it must protect its interests. The presidium of the USSR Supreme Soviet, or the national parliament, has therefore decreed that the government can issue licenses to Soviet enterprises for prospecting and mining mineral resources on the seabed. These permits will not constitute a claim to sovereignty or exclusive rights over any areas of the seabed or their resources. At the same time, the Soviet Union does not recognize claims of this kind by any other nation. The decree also says the measures it stipulates are temporary and will be cancelled when an international convention on the law of the sea comes into force, with the Soviet Union as a signatory.

CSO: 5200/2071

USSR COMPELLED TO DEFEND SEA RESOURCE INTERESTS

PM221513 Moscow SOTSIALISTICHESKAYA INDUSTRIYA in Russian 18 Apr 82 p 3

[Article by I. Sivtsev: "Maneuvers Over the Sea Bed"]

[Text] The struggle at the 11th session of the third UN Law of the Sea Conference has been raging for 2 months at UN Headquarters in New York. Representatives of 157 countries including the socialist countries are participating in its work.

In the previous 8 years a draft convention was prepared which established a basis in international law for long-term cooperation among all states of the world in various spheres of the use of the seas and of the exploitation of the world oceans' resources.

This is a unified all-embracing code of the principles and norms of the present-day law of the sea reflecting a balance of accords among all participants in the talks and giving no unilateral benefits or advantages to anyone.

The draft convention, which contains over 500 articles and provisions, establishes a 12-mile zone, a regime for territorial waters and a regime for straits; sets a 200-mile exclusive economic zone; and grants littoral countries the right to prospect for and extract oil and gas at sea up to 350 miles from the coast, a right which did not previously exist in the law of the sea. An international legal regime for exploiting the resources of the sea bed beyond the continental shelf was also formulated.

The draft convention's articles and main provisions were approved at previous sessions by all countries, including the United States. However, under the influence of mining and steel companies, the Reagan administration, which came to power at the beginning of last year, reneged on the previous agreements and unilaterally demanded a review of the convention's major sections, particularly the section governing the norms and rules of exploiting mineral resources on the sea bed.

The point is that U.S. companies, taking into account the unreliability of imports as a means of providing U.S. industry, have recently begun to show increasing interest in extracting strategic raw materials from the sea and ocean beds. According to available data, the sea bed's resources are several times greater than the discovered resources of all countries. The northern Pacific sea bed alone is covered with an area of about 6 million square kilometers of polymetallic nodules. The stocks of metals contained in them are 5 times greater than discovered nickel reserves, 8-9 times greater than discovered manganese reserves and 35 times greater than discovered cobalt reserves.

Four international consortiums have emerged in the United States recently which are interested in developing minerals at sea. They are the Kennecot Group, Ocean Mining Associates, Ocean Management and the Ocean Minerals Company.

Other U.S. companies such as U.S. Steel and Lockheed have already invested about $200 million in developing marine drilling machinery. They are attracted not just by the sea bed's wealth but by prospects of the uncontrolled extraction of strategic materials. "The United States," the New York TIMES writes, "wants to cancel all mining restrictions and open the sea bed to any private company entitled to claim it."

The U.S. attempts to bring about a radical revision of the draft law of the sea convention were resolutely rejected by many capitalist, developing and socialist countries.

"The USSR delegation," S.P. Kozyrev, USSR deputy foreign minister and head of the Soviet delegation at the conference, stressed in particular, "expresses the hope that the United States and certain of its allies will once and for all cease the attempts at gaining advantages and privileges for themselves alone to the detriment of other countries' and peoples' interests."

The Soviet Union advocates and will continue to advocate the settlement of the urgent problems of a legal regime for the world ocean on an international basis and, with this aim in mind, the conclusion of a convention in which all questions of the law of the sea -- in particular, questions of using sea bed mineral resources beyond the continental shelf -- would be resolved comprehensively and interconnectedly on a just and equitable basis taking account of all states' legitimate interests.

Meanwhile, taking into account the fact that other states are unilaterally beginning the practical exploitation of sea bed mineral resources beyond the continental shelf, the Soviet Union is compelled to take measures in defense of its interests with regard to the prospecting and development of the above-mentioned resources.

CSO: 5200/2071

COLUMNIST CRITICIZES LAW OF SEA CONVENTION

NC280702 Istanbul MILLIYET in Turkish 23 Apr 82 pp 9, 14

["They and We" column by Mehmet Ali Birand: "Turkey Cannot Sign This Agreement"]

[Excerpts] If no important changes are made in the law of the sea convention which has been under discussion within the UN framework for many years and which has now reached its final stages--and if it is impossible to make the changes we would like--Turkey cannot sign this agreement.

The convention contains such provisions that no matter how many reservations we add to it, by signing it, we cannot avoid making the Aegean a present to Greece. Some of the salient points of this convention are: Section 3 declares that every state is entitled to extend its territorial waters to 12 miles. There is no provision clarifying the fact that this is not applicable to semiclosed seas like the Aegean, which is a special case.

One can conclude that, in its present form, the convention is full of ambiguous concepts and that it does not stipulate any clearly stated provisions which could be used to protect Turkey's interests in the Aegean.

Addressing the United Nations on 30 March, Turkish delegate Kirca expressed reservations on this point. But is this adequate?

No matter from what perspective we look at it, if the convention is accepted, Papandreou will be legally entitled to convert the Aegean into a hellenic lake. At the least, he will consider himself entitled to this right.

Turkey's sole hope is an objection by the United States to certain sections that it has previously accepted. This is an extremely difficult approach. These are such fundamental sections that envisage their free use by a country with technical superiority, although developing countries consider these waters within their own jurisdiction. In other words, these are extremely difficult demands to be agreed upon.

If the agreement does not materialize, it will be some relief for Ankara. If it does, it will mark the beginning of the most dangerous period in Turkish-Greek relations, because it will be extremely difficult for Papandreou to rid himself of the glamor which the advantages of this convention will give him. What is more, the Greek opposition will try to squeeze him into the corner by reminding him of his past promises.

The law of the sea convention has turned the Aegean into a time bomb, but most of us do not realize this.

CSO: 5200/5309 END

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27 May 1982

Worldwide Report

LAW OF THE SEA

No. 198

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ASIAN STATES DECRY U.S. LOS OBSTRUCTIONISM

LD131012 Moscow TASS in English 0853 GMT 13 May 82

[By TASS observer Vladimir Matyash]

[Text] Moscow, 13 May (TASS) -- Irritation over the obstructionist position, taken by Washington at the United Nations Conference on the Law of the Sea [LOS], is not concealed in many countries of the world, including Asia. Thus, the Malaysian press sharply criticizes the Reagan administration for stalling adoption of the Convention on the Law of the Sea. The newspaper BUSINESS TIMES emphasizes that the negative actions of the United States at the conference are evidence showing that the United States obviously enjoys the part of "a difficult child" which tries to make the world community accept its demands.

President Reagan must at least realize, says the Malaysian NEW STRAITS TIMES which is in fact a semiofficial government publication, that the countries of the world "are not red Indians" which can be driven into reservations and forced to accept one's terms.

Governmental circles and the public of a number of Asian countries believe that Washington's search of allies, prepared to join the United States in the conclusion of a "mini-treaty" to the prejudice of the international agreement drafted, can but aggravate international tension. The attempts by the Americans to circumvent a treaty signed by the majority of countries, should be referred for consideration to the International Court of Justice in The Hague, as was suggested at the conference. Moreover, the demands were voiced to deprive Washington of the right of free passage through the straits.

It will be recalled that the Convention of the Law of the Sea is a major document in international law, called upon to become an effective tool for the development of fruitful cooperation in the use of the expanses of the seas and their resources, an effective instrument of strengthening peace and the law on seas and oceans.
Only four states, including the United States and its closest ally Israel, voted against the convention. Washington's negative stand conclusively proved that the United States does not strive for the development of equal cooperation in the world ocean, the White House imperial hegemonistic course, evidently, wholly and entirely fits in with the present adventuristic strategy of the United States in the world arena, a strategy designed to aggravate international tension and subvert the process of detente.

CSO: 5200/2077

USSR PAPER EXPLAINS SOVIET POSITION ON LOS TREATY

AU121302 Prague ZEMEDELSKE NOVINY in Czech 11 May 82 p 2

[Article by Josef Pesek: "Seabed Wealth for All"]

[Excerpt] A few days ago, at the end of the UN Conference on the Law of the Sea, a 180-page draft text of the new convention was adopted, which regulates all aspects of the use of all the world's seas and oceans and their natural resources. The most important point of the treaty, which was adopted in New York, is the prerequisite for setting up a new international agency which will control the exploitation and utilization of the seabed's rich sources of raw materials.

The negotiations were immensely complicated and lasted several years. The wealth of the seabed should serve all mankind -- this was the principle arising from the draft convention, on the formulation of which almost 150 states concurred and which was practically ready for signing a year ago. But almost in the twelfth hour everything was changed -- the new American delegation sent by the Reagan administration torpedoed the draft and rejected the demand that all oceans, with the exception of the coastal waters, be managed by an international agency, in which all states would have equal voting rights and which would determine the ceiling [uroven] and the manner of exploitation.

The American delegation substantiated its negative position by saying that the convention would allegedly restrict the activity of private entrepreneurship. The Americans came forward with the proposal of a "free" exploitation, in order that the big capitalist monopolies would be able to plunder without restriction the natural wealth which belongs to all mankind. The U.S. position is a quite clear assertion of imperialist hegemonism, which is taking the path of power interests and economic domination of big monopolies. And, of course, also of the Pentagon hawks, who want in this manner to ensure for themselves exclusive access to strategically important raw materials.

The stubborn position of the American delegation and the fact that some countries are approaching the question of the exploitation of the seas' mineral wealth one-sidedly, without waiting for an international accord, has led the Soviet Union to adopt measures which regulate the activity of Soviet organizations when prospecting for and mining mineral raw materials from the sea bed. However, the measures are of a temporary nature and the USSR will rescind them when the new convention on the Law of the Sea becomes effective. This is to happen before the end of the year, when the participants in the conference will meet in Caracas for the final session, at which the new convention on the Law of the Sea will be officially adopted.

CSO: 5200/2077

BRIEFS

USSR-JAPAN SEAWEED AGREEMENT--Moscow, 14 May (KYODO--The Soviet Union Friday agreed to extend for another year an agreement on Japanese seaweed gathering in waters around the Soviet-held Kaigara Island east of Hokkaido in northern Japan. Under the agreement, reached between the Soviet Fishing Ministry and the non-governmental Hokkaido Fisheries Association, Japanese fishermen can gather seaweed between June 1 and September 30. Japanese fishermen last year were allowed to gather tangle for the first time in five years since 1977 but actually worked for only one month because the agreement was reached late in August. A maximum of 30 ships were allowed to operate last year but the number this year was increased to 330, Japanese association officials said. They said the Japanese fishermen would pay yen 66 million in fishery fees to the Soviet Union, the same as last year. [Text] [OW141151 Tokyo KYODO in English 1130 GMT 14 May 82]

CSO: 5200/2077

DPRK RED CROSS REPORTS CAPTURE OF JAPANESE FISHERMEN

OW160642 Tokyo KYODO in English 0554 GMT 16 May 82

[Text] Tokyo, May 16, KYODO -- Twenty-five fishermen of two Japanese trawlers captured last Tuesday by a North Korean warship on the Yellow Sea for allegedly violating North Korea's military water frontier are all in good physical condition, it was learned Sunday.

This was made known in a report from North Korea's Red Cross Society to Japan's Red Cross Society. The North Korean side thus has officially confirmed the seizure of the two Japanese ships for the first time.

At around 9:40 a.m. May 11, the 114-ton trawler No. 85 Kyofukumaru of a fishery company in Fukuoka, Kyushu with 12 men aboard was captured by the North Korean vessel on the Yellow Sea.

Its fellow ship, the 114-ton No. 83 Kyofukumaru with 13 men on board became missing after sending a report that it would accompany the No. 85 Kyofukumaru, according to the maritime safety office at Fukuoka.

The two trawlers left Hakata port on February 13 and were scheduled to return to the port around May 20, maritime safety officials reported.

Two other ships of the same fishery company were captured by North Korea on May 5 last year for allegedly intruding into North Korean territorial waters, but were freed five days later.

Around the Yellow Sea, similar trawlers from Fukuoka were captured on April 25, but were set free about 17 hours later.

CSO: 5200/2077

JOINT NEW ZEALAND-JAPAN SURVEY OF TONGA TRENCH PLANNED

Auckland THE NEW ZEALAND HERALD in English 17 Mar 82 p 16

[Text]

Herald Corres Tokyo

Japan and New Zealand will make a joint geological survey in search of resources in the little - explored Tonga Trench north of New Zealand, according to plans revealed in Tokyo last week by the Japanese Science and Technology Agency.

The entire geological and marine survey, which represents the first major scientific project to be undertaken jointly by New Zealand and Japan, is to be spread over five years.

The Governments of Australia and Indonesia will also take part.

Australia's interest lies in the New Britain Trench, in the Solomon Sea, south of New Britain. Indonesia is interested in the Sunda Trench, south-west of Sumatra.

Officially, the survey is intended to determine the complex undersea structure of the three trenches to find clues which might explain their volcanic and earthquake movements.

A Japanese survey ship, to be commissioned for the project, will be equipped with devices that measure sea-bottom temperatures and collect sea-bed silt and other matter, evidence that natural resources are also a target of the survey.

The international affairs division of the science agency says the New Zealand Government has approved the Tonga Trench survey plans. These were proposed by the director-general of the agency, Mr Ichiro Nakagawa, during his visit to New Zealand last August.

Mr Nakagawa had requested New Zealand's cooperation from the Minister of Science and Technology, Dr Shearer, who had described the proposals as "profitable."

The Japanese Government has already earmarked 62 million yen ($310,000) for the Sunda Trench survey, from its 1982 budget. The survey will begin next year.

CSO: 5200/9087

BRIEFS

ECONOMIC ZONE MINERALS--Madras, April 18--How much mineral wealth can India harness from its exclusive economic zone of 2 million square km in the Indian Ocean? At least 36,000 tons of manganese, 17,000 tons of iron, 3,600 tons of aluminium, 1,200 tons of cobalt and 10,000 tons of nickel, reports PTI, quoting an estimate mentioned by Dr Suryanarayanan, head of the Department of Area Studies at Madras University. He was speaking at a seminar here today. There are 7 billion tons of nickel, 4 billion tons of copper, 2.5 billion tons of cobalt, and 200 billion tons of manganese in the entire Indian Ocean according to the estimate. Oil resources are said to be abundant but unestimated. Live resources potential is 15 million tons a year, only one-fifth of which is utilized now. India gets 40% of its total (live) sea products from this ocean which accounts for Rs 200 crore of its annual foreign exchange earning. [Text] [Calcutta THE STATESMAN in English 19 Apr 82 p 6]

CSO: 5200/7038

INDONESIA

MOKHTAR HAILS SUCCESS OF SEA LAW CONFERENCE

BK041018 Jakarta ANTARA in English 1000 GMT 4 May 82

[Text] Jakarta, 4 May (ANTARA) -- The decision of the United Nations Conference on the Law of the Sea to pass the sea law convention is a historic and very important event for Indonesian Foreign Minister Mokhtar Kusumaatmaja said here Monday.

In an airport statement on his return from attending the conference in New York, he said the passage of the convention ensures that the Indonesian archepelagic state concept (wawasan nusantar) is elevated into a new international law, thus bringing the wawasan nusantara campaign on the international forum to a very satisfactory stage.

The convention, Mokhtar said, also guarantees Indonesia's interest with regard to international traffic in its straits, the exclusive economic zone, the continental shelf and the extaction of mineral wealth on the international seabed. The acceptance of the archipelagic state concept in the sea law convention extends Indonesia's maritime territory by more than three million square kilometres, comprising an economic zone of 200 miles and 800,000 square kilometers of continental shelf, Mokhtar noted.

The conference, according to Mokhtar, proceeded as scheduled but had to take a decision, not by consensus, but by vote as proposed by the United States, with 130 countries in favor, four against and 17 abstentions.

He regretted the non-participation of the United States in the convention, which he said actually would benefit United States interests, particularly in the military field. He, however, expressed confidence that in due time the United States would join the convention.

The shining success of the conference, Mokhtar said, also pointed up the determination and goodwill of developing nations to cooperate with advanced countries for the establisment of the ideal of all mankind, international peace and welfare.

The Conference on the Law of the Sea was started in 1973. Mokhtar hopes that the convention which has been welcomed by many as a comprehensive and detailed regulation of how to use the seas and the natural resources therein, would be signed and ratified soon by the participating countries in order for the convention to come into force.

Asked for his views on the British-Argentinian conflict over the Malvinas Islands (Falkland Islands) Mokhtar said he continued to hope that the problem would be settled by negotiations.

CSO: 5200/2076

BRIEFS

INDONESIA TALLIES MARITIME INTRUSIONS--Jakarta, 9 May (AFP)--An average 100 foreign ships, including submarines, enter Indonesian waters each year without permission or without prior notification, a fleet squadron commander was today quoted as saying. The figure was obtained as the result of air suveillance and detection operations during 1980 and 1981, the commander, Col Iman Taufiq, told the "KNI" News Agency. Most of the intruders were fishing vessels of which about 20 were detained annually. Most of them were caught in the rich fishing grounds off East Indonesia, the colonel said. [Text] [BK090844 Hong Kong AFP in English 0740 GMT 9 May 82]

CSO: 5200/5653

JAPAN TO WORK OUT SEA LAW, SEABED EXPLORATION

OW010514 Tokyo KYODO in English 0309 GMT 1 May 82

[Text] Tokyo, May 1, KYODO--Japan will work out a law of sea and seabed exploration now that the United Nations has adopted an international law of the sea convention, the government said Saturday.

The Ministry of International Trade and Industry said it hopes to indroduce a bill for seabed exploration during the current Diet session.

Japan at present maintains only vague regulations for seabed development of manganese and other resources. And MITI officials consider the enactment of a clear domestic sea law a prerequisite to international bidding on such development programs.

Japan on Friday joined 129 other countries in adopting the U.N. convention covering rules for seabed mining development and the creation of a 12 nautical mile territorial sea area.

MITI hailed the U.N. convention which stipulated the validity of previous investment by Japan in a seabed mining development program in the South Pacific.

CSO: 5200/1

BRIEFS

U.S. FISH-QUOTA CUT PROTESTED--Tokyo, May 4, KYODO--Japan has filed a protest with the U.S. Government against its recent decision to drastically cut the Japanese fish catch quota within the U.S. 200-mile fishery zone, the government disclosed Tuesday. The protest was lodged with U.S. Secretary of Commerce Malcolm Baldrige by Yoshio Okawara, Japanese ambassador to the United States, officials said. In the representation, the Japanese Government noted that the U.S. action is discriminatory against Japan, the officials said. When Japan and the United States agreed late last year to set the Japanese quota for this year at 1,148,000 tons, the U.S. Government was expected to allocate 25 percent of the annual quota to Japan for the second quarter, starting in April. But according to a notice received April 26, the U.S. Government allocated only 15 percent of the annual quota to Japan in this quarter, while allocating 25 percent of annual quotas to other nations like South Korea and West Germany. In the representation, the Japanese Government also complained that the U.S. Government was extremely slow in setting the second catch quota, according to the officials. [Text] [OW041301 Tokyo KYODO in English 1241 GMT 4 May 82]

CSO: 5200/2076

PAPER FAVORS LAW OF THE SEA EVEN WITHOUT U.S. AGREEMENT

Christchurch THE PRESS in English 24 Mar 82 p 24

[Editorial: "Time and a Law of the Sea"]

[Text] Time is running out over a new law of the sea. The eleventh session of the Third United Nations Law of the Sea Conference was to end this week, having met on March 9. Instead, the differences between the United States and many of the 150 other countries on the question of the mining of the deep seabed are so wide that there is no chance that the session will end according to plan. More troubling than the failure to keep to a timetable is the possibility that a new law of the sea will not be concluded at all, or if it is concluded, the United States will not be part of it. These possibilities would have serious implications for the international rule of law and would weaken the United Nations as an organisation.

It was understandable that when the Reagan Administration was elected in the United States it would want to examine the law of the sea which had been negotiated and was about to be signed. There was nothing secret about the text which had been arrived at by Republican Administrations as well as the Democratic Carter Administration. The United States dismissed the negotiators who had been working for it and appointed others. Then the United States delayed announcing its position for much too long — in fact, the position was not put formally until a couple of weeks before the present session began. When the position was announced as amendments to the text, some of the American proposals were found to be far-reaching and have proved unacceptable to the so-called "Group of 77," which includes the more than 77 Third World countries.

Efforts are now being made to find a compromise between the Group of 77 and the United States. However, it is inaccurate to regard the United States as being pitted against the Group of 77; the United States is really arguing about a text that was negotiated over many years and acceded to by all the countries taking part.

New Zealand is a member of the group seeking a compromise; New Zealand takes seriously the establishment of a new law of the sea. The matter was also raised by New Zealand and Australia with the United States Secretary of State, Mr Alexander Haig, when he was in New Zealand last year for the A.N.Z.U.S. Ministerial talks. New Zealand is not directly concerned in the question of mining the deep seabed — it has neither the companies nor the technology to do that. Nor, as a developed country, is it likely to benefit from any profits made and shared under the concept of the deep seabed being the "common heritage of mankind." But New Zealand is unwilling to see the new law of the sea founder, as it were, on the mineral nodules on the deep seabed.

The points at issue relate to who should mine the deep seabed, and how it should be mined. The deep seabed is that area of the oceans that lies beyond any country's 200-mile zone or continental shelf. (The exploration for the mining of phosphorites in the Chatham Rise is within the 200-mile zone of New Zealand and is also on the continental shelf.) In 1970 the United Nations adopted, without dissent, a resolution declaring that there was an area of seabed beyond the limits of national jurisdiction which was to be the common heritage of mankind. The difficulty lay in mankind coming into its heritage.

Only a few nations had the technology to mine the deep seabed. In the end a compromise was arranged under which an international authority would have rights to mine and be given the technology to mine, as well as companies of those countries which already had the money and technology. It is this parallel system, including the transfer of technology, representation on the council that will decide what the international authority should do, the control of production so that countries which already mine the minerals are not faced with a glut on the market, and the time of review of the arrangements, which the United States finds unacceptable.

For a while it seemed that the United States might get the European countries to join it in a separate treaty. Without those countries it was improbable that the Soviet Union would accept the treaty. However, it now seems that the United States is isolated in its position. It would be very unfortunate if the United States did not adopt the convention on the law of the sea, but a number of countries, almost certainly including New Zealand, are rapidly coming to the view that it would be better to have a new law of the sea to which the United States had not agreed than it would be to abandon the whole venture.

In earlier claims over 200-mile zones the United States showed a generosity and willingness to show respect for other countries' aspirations. It is a pity that the same spirit is not to be found at the moment. The claims that countries have made for 200-mile zones, the special provisions that have been made for countries, such as New Zealand, with large continental shelves, the rights of passage through straits and archipelagos, and the right to resources within Exclusive Economic Zones, are all matters of prime concern to New Zealand and to the smaller countries of the Pacific. It would be a tragedy if all the years of agreement and compromise were brought to nothing now.

CSO: 5200/9088

MORATORIUM IMPOSED ON ISSUE OF COASTAL FISHING PERMITS

Wellington THE EVENING POST in English 19 Mar 82 p 2

[Text]

Major problems in the domestic fishing industry have forced the Minister of Agriculture, Mr MacIntyre, to impose a moratorium on the issue of commercial fishing permits from midnight last night.

Mr MacIntyre said yesterday several coastal fisheries were under stress because recent large increases in the number of permits issued had meant too many fishermen were competing for the available resource.

"This has caused fish populations to become strained through heavy fishing pressure," he said.

Mr MacIntyre said the moratorium in itself would not solve the problems, but it would stabilise the industry while other management measures were introduced to reduce the number of permits on issue.

Extension

The moratorium is declared under the controlled fisheries extension order, which came into force yesterday.

No further permits will be issued for all wetfish except tuna, and all shellfish, except squid, caught by any method in the territorial sea, internal waters, and all inland freshwaters, Mr MacIntyre said.

"Areas outside the 12 mile limit which are closed to joint venture and foreign licensed vessels, but open to domestic vessels, and vessels fishing for southern bluefin tuna in area G of the exclusive economic zone are also covered by the moratorium," he said.

Stability

The move is designed to stabilise fishing effort throughout New Zealand's domestic fishery and allow time for longer-term management measures to be put into place. It has the support of the Fishing Industry Board, the Share Fishermen's Association and the New Zealand Federation of Commercial Fishermen.

Anyone with a current fishing permit will not be affected by the moratorium, Mr MacIntyre said. Existing permits would be renewed automatically.

"However, people wishing to change fisheries, fishing methods or vessels will have to meet certain criteria before the change is allowed," he said.

"No permits will be issued to allow new fishermen, or fishermen without a current permit, to enter any fishery unless they meet one of the specified criteria."

CSO: 5200/9088

GREAT SOUTH BASIN OIL EXPLORATION APPLICATIONS WEIGHED

Auckland THE NEW ZEALAND HERALD in English 24 Mar 82 p 3

[Text] Oil exploration in the Great South Basin is likely to get a further boost next month when the outcome of applications for exploration licences in the area is announced.

The Ministry of Energy is considering applications for licences in 10 survey blocks.

Tenders for the licences closed last month and ministry officials said yesterday that they expected a decision early next month.

Work Programmes

The officials are maintaining strict confidentiality over the number and nature of the applications received.

The applications are being judged on the basis of the work programmes planned by prospective explorers. Programmes of maximum work in the shortest time are likely to be favoured.

And the ministry does not wish successful applicants to know the strength of their competition.

It is expected that seismic survey work would take up to two years before drilling by successful licence applicants began.

The Minister of Energy, Mr Birch, said yesterday that "conservative calculations" indicated the potential offshore reserves of oil gas around New Zealand were between 15,000 million and 20,000 million barrels.

A major contribution to that total could come from the Great South Basin, he said.

"Largely Guesswork"

The Hunt Petroleum Company and its partners had dominated oil and gas exploration in the basin for some time, said Mr Birch, and three of Hunt's seven wells had shown promise.

The licence applications now being considered reinforced the potential of the area.

Some oil industry sources later advised that Mr Birch's assessment of New Zealand's potential offshore oil reserves should be received with caution.

The figure of up to 20,000 million barrels was one which some geologists had come up with, they said, but it was based largely on guesswork.

CSO: 5200/9088

ADOPTION OF LAW-OF-THE-SEA TREATY URGED

Lahore THE PAKISTAN TIMES in English 28 Apr 82 p 4

[Text] Pakistan has proposed that States adhering to the international convention on the law of the sea should be permitted to make reservations on provisions governing the right of access to and from the sea by landlocked countries. The move forms part of the formal debate to achieve a general consensus on the texts leading to the adoption of the convention by the end of the month. Since sovereignty over territorial waters rests with the coastal states the participation of landlocked countries in the living resources of the exclusive economic zone cannot be recognised as a matter of right. Inclusion of this principle in the draft convention is necessary for application in some limited areas that are not international in character. Resources near the coast belong to the coastal State and that is why the concept of the 200-mile economic zone has been universally acclaimed. Given the obligations of coastal States towards the protection of benefits yielded by the sea, it is important that maritime activities of a landlocked country be governed under bilateral arrangements with the said States. Germane to the principle recognising national jurisdiction over territorial waters is the right of coastal States to safeguard their security interests. The free and unrestricted movement of warships and submarines in different bodies of water obviously arouses the concern of littoral and hinterland States. In keeping with its policy of building a tension-free international environment, therefore Pakistan was co-sponsor of only one minor amendment dealing with the passage of warships through straits under the territorial control of coastal States. Pakistan has demanded that the coastal States should be empowered to enact laws and regulations requiring authorisation or notification for a foreign warship to pass through their territorial waters.

These proposals echoing the concern of many developing countries are aimed at further strengthening the convention negotiated in an endeavour to create norms of international law applicable to areas outside national jurisdiction and the governance of resources of the area declared to be the common heritage of mankind. But the United States and six other countries have submitted amendments seeking to revise the convention in order to place themselves in an advantageous position. The changes sought by the advanced States relate to exploitation of the sea-bed. The developed countries possess the technology to exploit trillions of dollars worth of sea-bed resources. The underdeveloped nations want the proposed Sea-bed Authority to function as an international mining company in which all countries will have proprietary interests. The advanced States, however, are insisting that the sea-bed authority should merely be a licensing body, getting a royalty for leasing out areas under the high seas to private mining companies. Attempts to bring about changes in the text can undo an eight-year effort to prepare the sea code. The adoption of the proposed law of the sea convention would be a significant step towards creating an atmosphere of international peace and security. It would also pave the way for the establishment of a new world economic order. The developed countries, realising the importance of the document for peace would do well not to insist on the inclusion of amendments in the text at this late stage.

CSO: 5200/5655

PEOPLE'S REPUBLIC OF CHINA

'RENMIN RIBAO' VIEWS U.S. POSITION ON LAW OF SEA

HK041300 Beijing RENMIN RIBAO in Chinese 4 May 82 p 7

[Article by Wang Shifang [3769 1102 2455]: "Retreat Is No Way Out -- the Reagan Administration Suffers a Setback for its Obstinate Stand at the Law of the Sea Conference"]

[Text] After repeatedly following a tortuous course and overcoming various obstacles, the "draft convention of the law of the sea" was eventually adopted at the 11th Session of the 3d UN Conference on the Law of the Sea. The fact that this longest marathon session in the history of the United Nations could score the present achievements was the result of the unity and cooperation of the broad masses of participating nations, the Third World nations in particular, in carrying out their protracted struggle against the superpowers which have attempted to dominate the sea.

The draft convention, which was adopted after 9 years of repeated consultations, reflects the demands and principled stand upheld by the Third World nations for a long time: Every coastal state can establish 12 nautical miles of territorial sea and have sovereign rights to the waters for up to 200 nautical miles outside its territorial sea with regard to economic activities. It has been particularly affirmed that "the international seabed area and its resources are the common heritage of mankind." This convention pays attention to the interests of the developing nations, the developed nations as well as coastal and landlocked states. Therefore, it is a comparatively rational international convention which is acceptable to most countries.

Originally, this draft convention should have been adopted at the 10th session held in March or August of last year. However, due to obstacles raised by the Reagan administration, which had just taken power, on the pretext that further discussion and consideration were needed prior to its approval of the draft convention, the session was put off till this year. At that time, in accordance with the conciliatory spirit for settling disputes through negotiation, the broad masses of the Third World nations accepted the demands of the United States and agreed to listen to the opinions put forth by the United States on the revision of the draft convention at the future session. At the same time, they also stressed that any proposal which attempted to revise the principles of the draft convention was unacceptable. However, after a year of examination and consideration, at the 11th Session of the Conference on the Law of Sea held on 8 March, the Reagan administration issued a "green paper" which attempted to make 230 amendments to the draft convention. To deal with this matter, Alvaro de Soto, chairman of the "Group of 77" and Peruvian delegate, pointed out that the U.S. "green paper" violated the spirit of the declaration of the law of the sea adopted by the UN General Assembly held in 1970 because it attempts to downgrade the International Seabed Authority into an organ which can only formulate regulations or issue licenses for exploitation without any power to exercise control over exploitation activities, because it rejects the ideas that the International Seabed Authority is a decisionmaking body which can exercise real power, and that it is the duty of industrial countries to transfer exploitative technology to the authority and developing countries. In a word, as revealed by the U.S. NEWS & WORLD REPORT, the purpose of the United States "is to bid for the power to freely exploit seabed resources of the oceans of the world so that the benefits will go to those corporations and countries which carry out the exploitation work." Therefore, De Soto solemnly declared that the "Group of 77" would not accept the amendments proposed by the United States.

This stand by the United States was criticized by other participating countries. Some developed countries also expressed their discontent. The TIMES of England said: "Even sympathetic Western countries were embarrassed at the undisguised and uncomprising tactics of the Reagan adminstration for the sake of their own interests."

To extricate itself from isolation at the conference, the Reagan administration slightly modified its attitude. It lowered some of its original requirements and abandoned part of the revised draft. At the same time, the Third World nations and some developed nations put forth some proposals for revision and made some compromises. This paved the way for the final adoption of the draft convention.

It must be pointed out that although the Reagan administration modified its stand, it did not make any further advancement. It still insisted that six amendments be made to the draft convention's seabed provisions regarding the exploitation of deep sea and seabed resources. It also declared that if these amendments are not made, the draft convention would not be approved. What are the contents of these six amendments? According to the TIMES, they can be summarized into the following two points: 1) In reality, the United States wants to completely control the exploitation of deep-sea resources. 2) The United States will have the power to veto any activities proposed by the International Seabed Authority. In short, the United States has attempted to deny the principle that the international seabed area and its resources are the common heritage of mankind.

It must be pointed out that the previous three U.S. administrations of Nixon, Ford and Carter did not maintain a basically antagonistic attitude toward the content of the present "draft convention on the law of the sea" on the question of the mining of seabed resources. Therefore, the present stand adopted by the Reagan administration amounts to a negation of the stand of the three previous U.S. administrations. This cannot be considered other than a kind of retrogressive action. At the same time, the Reagan administration has also announced that it is prepared, after the rejection of its amendments, to immediately conclude a "minor treaty" with seven industrially advanced countries including England, France, West Germany and Italy and oppose the draft convention outside the conference.

According to the disclosure of U.S. NEWS & WORLD REPORT, certain officials of the State Department and industrial circles believe that even if there is no treaty (or 'draft convention on the law of the sea'), the mining of seabed resources will not be obstructed because the United States can sign a unilateral agreement with other industrialized countries of the West to protect its investment in the mining industry." A former important U.S. representative who took part in the talks of the Law of the Sea Conference also said that certain officials of the Reagan administration are not very keen on the signing of a treaty, and they would rather have no treaty. This unwittingly revealed the secret of why the Reagan administration has so obstinately stuck to its own views and why it has clashed with the countries of the Third World! At present, the United States has cast a dissenting vote in the balloting of this convention at the Law of the Sea Conference. This shows that we must still continue to wage a struggle for safeguarding the rights of various countries to develop mineral resources in international seabed areas, safeguarding the aim and principles of the convention, and thereby establishing a new order in sea law.

However, the passing of the "draft convention on the law of the sea" shows that the Reagan administration has underestimated the strength of Third World nations. Tommy Koh, the representative from Singapore and chairman of the Law of the Sea Conference, predicted a year ago that no matter how the United States may oppose it, the "draft convention on the law of the sea" will be passed next spring. Now this prediction has finally become a reality. It has dialectically proved that any country which attempts to resort to the old tactics of the gunboat policy of a century ago and ignores the legitimate interests of the Third World will definitely get nowhere. Only by adopting a spirit of reconciliation and cooperation and by means of holding consultations and negotiations will we be able to settle all international disputes.

CSO: 5200/2076

BEIJING RADIO VIEWS DRAFT CONVENTION ON LAW OF SEA

OW080207 Beijing Domestic Service in Mandarin 1100 GMT 6 May 82

["International Current Events" program commentary: "First Step in Establishing a New Order of the Sea"]

[Excerpts] On 30 April, the 11th Session of the 3d UN Conference on the Law of the Sea adopted by an overwhelming majority vote the draft convention on the law of the sea, thus taking an important step toward establishing a new law and order of the sea. The convention's coming into being is the result of the protracted struggle of Third World countries for equal rights to the sea and against the superpowers' domination of the oceans.

In the course of the formulation of the convention on the law of the sea, the two superpowers, the Soviet Union and the United States, placed obstacles and employed tricks on a series of important issues of principle, attempting to force their maritime hegemonist trash on others. For example, the Soviet Union and the United States tried their utmost to limit and reduce the width of territorial waters, opposed the establishment of 200-nautical-mile exclusive economic zones, advocated free passage through straits, attempted to exploit and monopolize international seabed resources at will with their money and advanced technology, and so forth. So the struggle was very complicated from the beginning of the conference.

The 11th Session of the 3d UN Conference on the Law of the Sea was convened on 8 March this year. The United States put forward a green paper at the meeting, proposing 230 amendments to the draft convention, including many changes that involved matters of principle. This disgusting U.S. attitude in violation of the spirit of the conference naturally met with opposition by Third World countries and also incurred dissatisfaction and criticism from other participating countries at the conference. The United States voted against the draft convention. It still clung to the six amendments it proposed with regard to provisions in the convention concerning exploitation of deep seabed resources. It indicated that unless the amendments are accepted, the United States would not ratify the convention. The six amendments insisted upon by the United States in fact deny the principle that the seabed under international waters is the hereditary property of all mankind and are aimed at enabling the United States to exploit deep seabed resources without restriction. The Reagan administration also threatened that if the U.S. amendments were rejected, the United States was prepared to sign a small treaty to oppose the draft convention outside of the conference with seven industrial countries including Britain, France, West Germany, Italy and so forth.

These facts show that to establish a new law and order of the sea to safeguard equal rights for all countries, many obstacles remain to be overcome and it is necessary to continue the struggle. However, in the source of events from the drawing up to the final adoption of the draft convention on the law of the sea, it can be seen that no country will ever succeed in attempting to ignore the Third World's legitimate interests and seek maritime hegemony. Only by adopting a lawful and cooperative approach and by consultations and negotiations will it be possible to resolve disputes.

CSO: 5200/2076

BRIEFS

NANSHA ISLANDS FISHERIES--Makung, Penghu--A government plan for the development of fisheries on the Nansha Islands has been put into practice. The experimental ship "Haifu" of the Taiwan Provincial Aquatic Products Experimental Institute is currently conducting a survey of aquatic resources in waters off the Nansha Islands to gather data for the development of fisheries by fishermen-settlers in the future. The ship "Haifu" left Keelung on 24 April for Nansha to conduct a survey of aquatic resources in waters there. The ship is scheduled to return to the port in mid-May. Hu Hsing-hua, director of the Penghu Branch of the Taiwan Provincial Aquatic Products Experimental Institute, said: The experimental ship "Haifu" has a crew of more than 20 persons, most of whom are fishery experts. Hu Hsing-hua, who participated in working out the plan for developing marine resources in waters off the Nansha Islands, indicated that a difficult problem to be solved now is to build communication facilities on the Nansha Islands in order to ensure communications between the islands and Taiwan. Due to the lack of such facilities, he said, he now had no way of knowing about the operations of the ship "Haifu" in waters off the Nansha Islands. Measures for carrying out the government plan for developing fisheries in waters off the Nansha Islands include a survey of aquatic resources, the building of a fishing port and supply facilities on Taiping Island, one of the Nansha Islands, and encouraging fishermen to settle on the islands. [Text] [OW101239 Taipei LIEN HO PAO in Chinese 5 May 82 p 2]

CSO: 5200/2076

'NATION REVIEW' DISPLEASED BY LAW OF SEA TREATY

BK050225 Bangkok NATION REVIEW in English 5 May 82 p 4

[Editorial: "Thailand Must Counter Law of the Sea Curbs"]

[Excerpt] There has been eight years of wrangling over the Law of the Sea and it finally came to a vote and was passed by a thumping majority. However, it is passing strange that one superpower, the United States, voted against it while the other superpower, the Soviet Union, abstained. Thailand, for abstaining, could be accused of being in the shady company of Belorussia and Ukraine, but looking at it from another point of view, Thailand is in good company with Britannia who once ruled the waves and is now ruling the South Atlantic. No, we do not want to appear supercilious but Thailand's objections to the Law of the Sea in its present form has nothing to do with the objections of the United Kingdom or the Soviet Union.

It is not within the scope of this space to analyse the Law of the Sea which contains 320 articles covering a whole range of the rights of nations to exploitation of the sea and the seabed and even landlocked countries like Laos, Afghanistan, Czechoslovakia, Austria, etc, had a say in the matter. The primary question is that the exploitation of the resources of the seabed require high technology and only a few countries like the U.S., Western Europe and Japan fall into that category. The U.S. did not agree because she wanted her superior technology to rule. Japan agreed because she saw quick profit by cooperating with underdeveloped countries. The Soviet Union abstained because she does not have the technology but at the same time did not want to go along with the U.S.

Thailand's problem has nothing to do with all this. According to the Law of the Sea every nation claims 12 miles of territorial waters and 200 miles as economic zone. Thailand can make no such claim because Burma, Malaysia and Kampuchea, making equal claims, can make this country as good as landlocked and that is why this newspaper had to indulge in the neologism of "sealocked." It is not necessary here to recapitulate the problems our fishermen have had with Burma, Malaysia, Bangladesh, India, Vietnam, etc. But the problem is Thailand, once the fifth largest fishing nation in the world, is deeply hurt by the Law of the Sea. As a matter of fact we still haven't proclaimed the 200 mile economic zone because such a move may hurt us more.

Thailand has an opening to the east into the Pacific Ocean and an opening to the west to the Indian Ocean. In this part of the world, we have the finest fishing fleet and the most experienced and aggressive fishermen. But if they are to be hamstrung by international conventions, the government has to find some sort of an escape for them. Thailand cannot fish in international waters as easily as the Japanese or Soviet fishing fleet which are accompanied by factory ships which process the fish as soon as they are caught. But the government must also recognize that the high expertise of our fishermen should not be lost. They should not be reduced to poaching, exposing themselves to the gunboats of neighboring countries and frequently languishing in foreign prisons.

Now that we have the Law of the Sea and there is nothing we can do about it, it is high time that our government worked out a strategy which conforms with the regulations set forth therein. Possibly the spadework has already been done since Thailand had expected an unfavourable conclusion some year ago. And if there is a plan -- we have every reason to think there is -- we do not see any point in putting it off.

CSO: 5200/2077

'PRAVDA' COMMENTS ON APPROVED LAW OF SEA DRAFT

AU071243 Bratislava PRAVDA in Slovak 6 May 82 p 7

[Commentary by Josef Janto: "Fault of Those Greedy of Profit"]

[Text] As is known, the recent 11th session of the third UN Law of the Sea Conference approved in its conclusion the draft text of a new agreement on solving the main problems of the world seas, especially the extraction of raw materials from the seabed. For several years more than 150 UN member countries have been working on this draft convention. Finally, at last year's 10th session, the delegations of socialist, developing and capitalist countries were able to note that they had prepared a good basis for a successful conclusion of many years work.

The draft convention (it consists of about 500 articles) contained compromise solutions of the main problems, and all that remained to be done was to give the final touch to the wording of the individual provisions. The draft provided for the solution of complex problems concerning coastal waters, international straits, the 200-mile economic zone, continental shelves and the seabed outside the borders of such shelves. Besides establishing stable conditions for the development of sea navigation, fishing and the extraction of raw materials from the seabed, it also formulated the urgency of the struggle against sea pollution and so forth.

When everything was virtually clear, the United States (to be more accurate, the new White House administration) came up with more than 40 amendments which it wanted to smuggle into the convention. Their main aim was to ensure the right for American supranational monopolies to engage in uncontrollable extraction of raw materials -- copper, nickel, cobalt, managenese -- from the seabed. The White House did not even bother to wait for the convention's approval and, using the channels of the U.S. Congress, unilaterally approved a bill allowing private American companies to exploit resources from the seabed.

This cynical approach naturally called forth great indignation all over the world. With this stubborn act, Washington unscrupulously swept off the table the results of many years of efforts by the majority of states. The new draft of the convention's text that has just been approved contains, indeed, some additional important provisions -- for example about the right of landlocked states to have access to the sea, which is the culmination of their efforts of more than 50 years to have this right recognized -- but the amendments adopted as a result of U.S. pressure favor only the main capitalist countries. In spite of this, the United States voted against the convention's approval. It finds even that which it usurped to be too little, though some delegations yielded to its pressure only to prevent the work on the convention from going completely to waste.

Yet this discriminates against many states on the world seas, S. Kozyrev, USSR deputy minister of foreign affairs, noted on that occasion. That is why the Soviet Union abstained in the voting. However, guilty of the foiled joint work and its results are those greedy of profit -- American supranational monopolies and those striving to assert their interests in international relations.

EFFECT OF FALKLANDS FIGHTING ON FISHING EXPLAINED

LD121038 Warsaw Domestic Service in Polish 0500 GMT 12 May 82

[Marek Szelewicki report Gransk]

[Text] A number one subject of foreign agency dispatches is, of course, the conflict over the Falkland/Malvinas. The development of events in that part of the world is being followed particularly attentively by our fishing enterprises. I would like, as briefly as possible, to tell you why our deep-sea long-range fleet is awaiting anxiously the speediest possible settlememt of the Argentine-British dispute. I often come across the question of whether there is really anywhere for us to fish. It turns out that possibilities of pentration are indeed limited. As a result of the American restrictions our fishing vessels had to leave the traditionally exploited fisheries of the North Atlantic and the North Pacific. They were sent to the sub-Arctic zone which was surveyed by scientific research vessels just a few years ago.

At the beginning of this year a very large flotilla of Polish fishing vessels appeared in the area of the Falklands and South Georgia. At the time when the conflict erupted there were about 40 of them. The imposition of the 200-mile military zone has caused the loss of yet another fishery ground. One figure alone idicates clearly its significance: Last year fishing on the waters of the Falklands and South Georgia accounted for one-fifth of the entire catch of the Polish deep-sea fleet, and that is a great deal. Hopes for a further exploitation of those waters might turn out to be futile, since every month our fishing fleet must move closer and closer to the Falklands, following shoals of fish, something that is impossible in the present situation.

This is why the quantities of deliveries of fish to our tables depends on the course of the conflict in this southern region of the world. As you can see yourselves, grand politics also affects our menu.

CSO: 5200/2076

BRIEFS

ECUADOR-U.S. TUNA TALKS--Orlando Alcivar, minister of industries, commerce and integration, will travel to Lima to meet with a U.S. foreign trade official. The goals of his visit are to restore the U.S. tuna market which was closed 1 1/2 years ago; to discuss a bill being considered in the U.S. Senate, which would establish a tariff on Ecuadorean shrimp exports; and to talk about the problem that Ecuadorean exports will face when Panama Canal tolls are raised at the end of the year. Here are Alcivar's statements: [begin recording] Basically, I want to get the tuna market with the United States opened again and to secure special treatment for our ships in the Panama Canal this year. However, I want to note that, in this regard, the regulations that control navigation in the Panama Canal allow no preferential treatment for any ship, regardless of its country of origin or any other factor. Therefore, this will not be an easy matter. [end recording].[Text] [PA112356 Quito Voz de los Andes in Spanish 1230 GMT 11 May 82]

MARINE RESOURCES STUDY--The Institute of Marine Affairs (IMA), in co-operation with the Commonwealth Science Council (CSC) and the University of the West Indies, St. Augustine, is hosting a two-week regional Marine Resources Workshop from April 19 to 30, at the Institute of Marine Affairs, Chaguaramas. The participants represent the English-speaking Caribbean, including the Bahamas, Barbados, Dominica, Guyana, Grenada, Jamaica, St. Kitts, St. Lucia, St. Vincent as well as Trinidad and Tobago. The participants will be involved in an intensive programme of laboratory and field studies involving the development of skills to survey marine plants and animals for potential commercial significance. The Workshop will aim at developing a uniform method of study and cataloguing so that data from any island could be readily interpreted by workers from another. According to Dr. Desmond Ali, Deputy Secretary of the Commonwealth Science Council, the Caribbean islands need to know what is in their coastal waters, where it is exactly, how much of it is there and its growth potential; only then can they study successfully the marine plants and animals in their region and establish the potential for commercial utilisation. The participants will learn methods of identification of marine life and ways of preserving unidentified species for later study. They will also receive training in safety aspects of diving, care of diving equipment, kinds of equipment needed for such survey work and the need for proper supervision. Another outcome of the Workshop will be to assist the participants in designing pilot projects for developing a marine products industry--work which they will continue in their home waters after the Workshop. This Workshop will also provide an information network among the islands to further develop marine resources. [Port-of-Spain TRINIDAD GUARDIAN in English 17 Apr 82 p 3]

CSO: 5200/7533

STATUS OF BEAGLE CHANNEL NEGOTIATIONS VIEWED

Government Worried

PY180525 Paris AFP in Spanish 1505 GMT 16 May 82

[Text] Santiago, Chile, 16 May (AFP) -- President Augusto Pinochet stated here that the procrastination in solving the dispute with Argentina over the Beagle Channel, in the extreme south, is worrying the Chilean Government.

In the field of foreign relations, one of the greatest concerns is the status of this conflict, which now subject to mediation by Pope John Paul II, has had no solution so far even though Chile has accepted the papal proposal for a solution, General Pinochet stated in an interview in the Santiago paper LA TERCERA DE LA HORA.

The pope was designated mediator in January 1979, when the two countries were on the verge of war, and 23 months later the pope presented a proposal for a solution which has not yet been accepted by Argentina, the paper said.

Negotiations Unaffected by Falklands Conflict

PY050315 Paris AFP in Spanish 0139 GMT 5 May 82

[Text] Santiago, Chile, 4 May (AFP) -- Chilean Ambassador to the Vatican City Hector Riesle stated here that the conflict over the Malvinas Islands in the South Atlantic will not affect the negotiations between Chile and Argentina to overcome the dispute over the Beagle Channel, in which Pope John Paul II is acting as mediator.

We must look hopefully at the reactivation of the mediation process, Ambassador Riesle stated at the end of a meeting with President Augusto Pinochet. The ambassador added that what is happening between Argentina and Great Britain does not directly affect the talks which are developing.

Riesle briefed the chief of state directly on the new dynamics acquired by the mediation as of 23 April when Pope John Paul II received the delegations of the two countries and urged them to begin the preparation of a treaty which will put an end to the conflict.

The ambassador indicated that he will return to Vatican City within the next few hours.

CSO: 5200/2076

BRIEFS

SURINAME FISHING LICENSES--Forty-one Guyanese fishermen have been granted fishing licences from the **Suriname** authorities in Nickerie to continue their fishing trade in the Corentyne River. The fishermen who operate with small outboard motorboats are members of the Upper Corentyne Fishermen's Co-operative Society at Corriverton. A few more persons who are also involved in fishing in the Corentyne river are expected to travel to Nickerie over the week-end to renew their licences. A senior officer of the Fishermen's Co-operative Society said that so far no problem has been encountered by any of its members who had renewed their boat licences to carry on with their legal business. (GNA) [Text] [Georgetown GUYANA CHRONICLE in English 26 Mar 82 p 1]

CSO: 5200/7535

FISHING, OIL, SHIPBUILDING TO BE PRIORITIES IN OCEAN DEVELOPMENT

Paris LA NOUVELLE REVUE MARITIME in French Mar 82 pp 92-96

[Presentations given by Minister of State for Scientific Research and Technology Jean-Pierre Chevenement and Minister of Maritime Affairs Louis Le Pensec on 2 Mar 1982]

[Text] Coordination of Oceanographic Research--Joint Presentation by Messrs Chevenement and Le Pensec on 2 March 1982

The Stakes and the Priorities

In the course of the coming decades, the sea will take on increasing importance in the life of mankind, both as regards the living, energy and mineral resources that will be extracted from it and in terms of the increase in maritime traffic and the development of activities in the coastal zones with their precious and fragile equilibriums.

The government, aware of these stakes for France, and especially for its overseas departments and territories, has decided to increase the research and technological development effort that it intends to devote to this sector, and at the same time to consolidate the public apparatus that will ensure its coherence. This effort is, in effect, based on a common stock of scientific and technical knowledge specific to the milieu of the sea.

In order to do this, it is important for the priorities and target dates to be defined clearly:

--in the short term, the essential economic stakes lie in the development of maritime fishing (in which our external deficit is higher than Fr 3 billion), of exploitation of continental-shelf oil, and of shipbuilding. Research and technological development will be given preferential effort in these areas;

--in the medium term, aquaculture with new species should be able to result in sizable production quite rapidly. In the areas of exploitation of deep oil, mining of metallic nodules, and development of the hydrothermal sources and the thermal energy of the seas, there should be studies and preparatory research aimed at establishing technical feasibility and determining the economic interest.

Development of the littoral and monitoring of the environment of the coastal zones should be prepared for more particularly by an augmented research effort;

--finally, the entire fundamental and exploratory research effort must lead--beyond the partial results that may be applicable in the short term--toward establishment of the models of the entirety of the marine mechanisms and the sedimentary and tectonic phenomena, knowledge of which is indispensable to the earth scientists and to development of applications.

"Ocean engineering," which groups the activities relating to underwater electronics and acoustics, naval architecture and shipbuilding, the equipment for underwater penetration, deep-water construction and maritime engineering, has to be developed especially. The techniques for rational exploitation of the sea, such as farming concentrations of living resources (fish, crustaceans, algae, etc), will also have to be given special support, with establishment of closer links between the laboratories and professional experimentation.

Organization at the Level of the State and the Mission of the Public Organisms

In order to carry on effectively this complex of research and technological-development activities, an organization that ensures good articulation between the actions of the state and the activities of the various public organisms is being set up in accordance with the following modalities:

--interministerial coordination of the major orientations and of the means, through the meeting, on a joint basis, of the interested members of two existing committees (the Interministerial Committee on Scientific and Technical Research and the Interministerial Committee on the Sea);

--conduct of the purpose-directed programs (hydrocarbons, nodules, fishing, aquaculture, environment) under the control of the technical ministries responsible for the sectorial policies;

--a system of flexible and effective coordination instituted between the organisms and the administrations in the form of a committee for coordination of the programs of marine research and technology;

--systematic consultation of scientific experts within a scientific council on oceanography placed under the minister of scientific research and technology.

As regards the CNEXO [National Center for Exploitation of the Oceans], which will be relieved of its role of coordination of oceanography, which has proved incompatible with its other functions, its missions as a research and technological development organism will be reoriented and reinforced. It will be called on to continue, with increased means, the execution of the programs of fundamental, exploratory and applied research that it has gone into in coordination with other organisms, activation of the big resources of general interest and exploitation of the research. In particular, it will be called on to:

--conduct on a priority basis, in close liaison with the organisms and professions concerned, a greatly increased effort in development of marine technologies capable of being used in the activities of fishing, offshore oil and shipbuilding, as well as in the new sectors of application;

--give particular attention to development of the littoral, the coastal environment and preparation for exploitation of the 200-nautical-mile economic zone;

--be in a position to provide prime contractorship over complex projects of general interest that may bring different public and private partners into ascosiation;

--develop its capacity to originate and develop the future programs of oceanic research and technological development, bringing the scientific and industrial circles, as well as the potential users, into close association in them.

To advise the Establishment [as published] on the technological programs, a Technical and Industrial Council will be created, under its chairman.

The Scientific and Technical Institute of Maritime Fishing is to recommence a vigorous research and development effort in favor of fishing and the traditional kinds of marine cultivation. It is to open up to collaboration with the outside. The measures relating to its status, the organization of its missions, its recruiting and its resources are to be decreed during 1982.

As regards ORSTOM [Bureau of Overseas Scientific and Technical Research], which plays an important role in the sector of tropical-zone ocean sciences, especially in the overseas territories, better articulation with the national organisms and better utilization of its competencies are to be sought.

Finally, for the whole of the laboratories coming under the universities or the CNRS [National Center for Scientific Research], the Interdisciplinary Oceanographic Research Program (PIRO) will be given, within the framework of the reforms under study, powers enabling it to carry out its role fully and be a representative interlocutor vis-a-vis other organisms and administrations.

Mr Le Pensec's Comments on the Priorities in Oceanographic Research

The government has created, within the framework of its own organization, a double structure for coordination of oceanographic research: a functional-coordination structure, which the minister of state for scientific research and technology is in charge of, and a spatial-coordination structure for which the minister of maritime affairs is responsible.

The justification for the spatial coordination lies in the homogeneity of the marine milieu, the unity of status of the men of the sea, as well as in the specificity of the techniques of marine exploitation.

This double structure very logically leads to shared oversight vis-a-vis the specifically maritime research organisms, the ISTPM [Scientific and Technical Institute for Ocean Fishing] and the CNEXO, as well as to joint responsibility for activation of the coordination structures. Without prejudging the work and the conclusions that these coordination structures may lead to, it is useful to note two important orientations of oceanographic research:

--development of ocean engineering as an instrument for mastering the marine milieu;

--improvement of the techniques for development of the sea as an area of concentration of living resources.

Developing Ocean Engineering as an Instrument for Mastering the Marine Milieu

Under the term "ocean engineering" can be grouped the activities relating to underwater electronics and acoustics, naval architecture and shipbuilding, the equipment for underwater penetration, deep-water construction and maritime engineering.

Ocean engineering constitutes a technological-research slot especially well-suited to a developed country such as France that presently occupies a certain advanced position, notably in the area of exploitation of the deep marine bottoms--an advanced position that it should take advantage of by accentuating its research efforts. Ocean engineering also presents the advantage of producing fallout in the sectors of maritime activity as a whole, whether offshore oil is involved, mining of polymetallic nodules, deep-water farming or shipbuilding.

Affirmation of the unity of the ocean-engineering technologies should make it possible to create a continuous front of knowledge, ensuring that the discoveries made in one branch of maritime activity rapidly flow into the other sectors of activity. By way of example, our techniques of underwater investigation must be able to be used to improve the effectiveness of the active fishing equipment. Likewise, progress in fish-farming technology can benefit shellfish-farming. Also in the same way, knowledge acquired in the area of naval architecture can be used to advantage in the designing of marine structures as a whole.

Development of intersectorial technology transfer will ultimately ensure a more homogeneous progression of all marine activities. That is why it is envisioned, within the framework of the preparation of the program-law on research, that the theme of ocean engineering be approached through a program of "ocean" technological development.

Improving the Techniques for Development of the Sea as a Repository of Living Resources

The sea will play a more important role in feeding people tomorrow, as regards both fishing and marine farming (protein of marine origin presently represents about 15 percent of mankind's food supply).

With reference to fishing, it is urgent to develop research on rational management of the natural stocks, in order to eliminate a harvesting system by which, today, both the capital and the interest of the sea are being withdrawn, whereas rational management of the stocks would make it possible to fill the needs for consumption by tapping the increasing surpluses only.

As regards marine farming--the unity of which should be stressed, whether it involves the cultivation of shellfish or algae or fish-raising--a phase of technological transfer to the benefit of the professionals should be actively initiated.

With a lag of 10,000 years, the sea is presently undergoing its neolithic revolution. But no one knows how the mutation that led to the domestication of animals occurred 10,000 years ago. In any case, to be sure, it was done without the support of research organisms and had to go forward on the basis of a pragmatic methodology based on trial and error and observation of nature.

As regards the sea's living resources, it appears desirable to assign a more important place to experimentation in the field, and consequently to establish closer links between the activity of the laboratories--which is obviously indispensable--and professional experimentation.

11267
CSO: 5200/2067

NATIONAL INTERESTS SEEN AT STAKE IN LOS ISSUE

Athens I AVGI in Greek 15 Apr 82 p 5

/Text/ The basic problems of the Law of the Sea /LOS/ Conference, in session in New York since 8 March, concern the "heart" of the North-South relations and the search for an equitable economic order on a world scale and in such a way that the exploitation of the seabeds with their rich minerals will be to the benefit of all mankind and especially the poorer countries.

It must be noted that from the very beginning the conference assumed the character of an intense clash between the developing countries and the United States. The Reagan administration, moreover, did not at all want to hide its hostile attitude toward the third world countries. It is for this reason that it reacted against the proposals for transferring to these countries the technology which would make them capable of exploiting the undersea area. In fact, the U.S. is not interested in an international agreement for exploiting the ocean resources but in an agreement between the great western powers. The Pentagon was particularly interested in a treaty which would guarantee the "free passage" of fleets and aircraft through the straits and the extraction of strategic ores from the bottom of the oceans such as cobalt and magnesium which at present they get from unreliable countries.

The U.S. is also interested in safeguarding the interests and participation of multinational companies in the exploitation of the undersea wealth. "They would not be interested," they argue, "in facing another consortium like OPEK which the developing countries could form albeit with the approval of the UN Assembly in which they have a majority."

This purely imperialistic and aggressive policy has met with strong opposition. The developing countries made it clear that they would oppose any solution which would practically secure "only the mutuality between the industrial powers for the exploitation of the sea bottoms" and would contest as unacceptable--as a representative of the 122 third world countries stated--an agreement "which would provide a one-sided exploitation of a mankind heritage in the undersea depths to those states which have the know-how and the ability to undergo the necessary expense at the expense of the states which lack such capabilities."

The conference, now in its last and critical phase, directly concerns our country also, not only because it has a large sea area but also because of Ankara's designs in the Aegean and its position that the Greek eastern Aegean islands ostensibly lack their own continental shelf and are located on the Turkish one while the Greek territorial waters must be limited to 6 miles, regardless of the conference's decision which sets the territorial waters at 12 miles (a measure Turkey already applies to its northern Mediterranean shores and the Black Sea).

We believe that the Greek side which must defend so many vital national interests in the conference will also contribute to the solution of the controversial problems--a solution which will provide a more equitable relationship between North and South, a fact which will also be in the interest of our country.

7520
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END

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30 JUNE 1982

Worldwide Report

LAW OF THE SEA

No. 201

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30 June 1982

WORLDWIDE REPORT

LAW OF THE SEA

No. 201

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ICELAND WORRIED ABOUT SOVIET REDFISH TRAWLERS OFF COAST

Reykjavik ATLANTIC FISHING, NEWS FROM ICELAND SUPPLEMENT in English Jun 82 p 6

[Text]

Early last month, the activity of what was a big foreign fishing fleet by Icelandic standards, off the SW-corner of this country, briefly had the news media and authorities here astir. The ado started when it came to light that some 40 Soviet trawlers were engaging in redfish operations out on the Reykjanes Ridge, which extends to the southwest from the Reykjanes peninsula.

The picture was clouded at first, but then a Coast Guard plane reported that the Soviet vessels, most of them large, numbered about 40 and were using pelagic trawls in 1,000-1,300-m-deep waters; the group included factory ships and two freighters. While that foreign fleet was operating well outside Icelandic resources jurisdiction, about 225 nautical miles from the tip of the Reykjanes peninsula, worries mounted because the catches were obviously redfish.

According to press accounts, the combined tonnage of the Soviet fishing vessels was roughly equal to that of the whole Icelandic trawler fleet, which consists of some 90 medium-sized vessels. News stories also emphasized that the redfish stocks in waters from the Faroes to East Greenland probably have been overexploited for several years.

The International Commission for Northwest Atlantic Fisheries has urged that the total annual take of redfish in this region be held to around 60,000 tons. One of the stocks in question has been exploited on a sizable scale by Icelandic operators in recent years; another ranges in deeper waters, while a third is chiefly pelagic and of virtually no interest to Icelandic skippers.

Icelandic redfish landings in 1978 totalled just 36,500 tons, but the figure rose markedly the following year — and reached 93,000 tons in 1981.

By the initial accounts of Coast Guard observers, the Soviet vessels' individual hauls seemed to yield from 30 to 50 tons. The decks were said to be covered from edge to edge with a reddish mass after the trawls came in. An Icelandic research ship and a patrol vessel soon made their way to the grounds, discovering that the catches were from a redfish stock long ignored by operators in this country.

Icelandic marine biologist Jakob Magnússon, who was on board the research vessel dispatched to investigate the situation, said that the typical Soviet performance out on the Reykjanes Ridge amounted to 20 tons from 6 hours of trawling. He also noted that redfish ranging in that area were generally lean and discouragingly infested with parasites. As he explained to newsmen, Icelandic test catches from these waters, taken a decade ago, proved inferior to redfish from grounds closer to shore.

Nevertheless, at least two Icelandic fishing vessels promptly headed for the Reykjanes Ridge location. Naturally, there was little or nothing that authorities here could do about the Soviet presence there.

Commented Fisheries Minister Steingrímur Hermannsson (Progressive): "The Russians are operating in international waters ... There is no point in trying to reach an agreement with the Soviets alone on this matter ... But come June, there will be Iceland-EEC [European Economic Community] talks to the end of working out limits to redfish landings from waters between this country and East Greenland."

Worries over the condition of the redfish stocks cent   , among other things, on a peculiarity of the species: a very slow growth to maturity. Curiously, the reproduction of redfish entails delivery of immediately viable offspring, not egg spawning.

CSO: 5200/2084

BRIEFS

COOPERATION IN SEA FISHING SESSION--Sofia, 1 Jun (BTA)--The 21st session of the joint committee on applying the cooperation agreement in the field of sea fishing between the GDR, Cuba, Poland, Romania, the Soviet Union and Bulgaria began in the town of Sozopol today. There are going to be discussed matters of the further expanding and deepening of the cooperation in the field of sea fishing, of raising its efficiency. [Text] [AU011923 Sofia BTA in English 1832 GMT 1 Jun 82]

CSO: 5200/2086

AUSTRALIA

EDITORIAL CAUTIONS GOVERNMENT ON APPROVAL OF LOS AGREEMENT

Canberra THE AUSTRALIAN in English 7 May 82 p 8

[Editorial]

[Text] SINCE the time of the pirates of the Barbary Coast the maritime nations of the world have paid lip service to the concept of a universally binding law of the sea. Last Friday at a special session in New York the members of the United Nations voted to establish such a law.

Australia was among 130 nations to support the convention, which provides considerable benefits for Australia, including the recognition of the right to a 200-mile economic zone and to the exploitation of oil and gas in the waters above the continental shelf.

It is, however, worth noting that the United States was one of the convention's four opponents and that the USSR, Britain and West Germany abstained. If these important nations decide not to sign the convention treaty they will not consider themselves bound by its provisions.

The principal American objection arises from the rules to be applied to the mining of seabeds outside of the national economic zones. After 20 years of mining under licence by those nations who are capable of such an enterprise, a new UN authority may allow this mining to continue, or to award an "underdeveloped" country the right, or to retain the right for itself.

One needs to have an unjustifiable faith in the UN to be confident in the basis on which it would distribute licences and as to the manner in which it would distribute the proceeds if it decides to carry out the mining itself.

Past experience leads to the suspicion that largesse would be distributed on the basis of the political line of the potential recipients and in the interest of causes which may appeal to the majority of UN members but are contrary to the interests of Australia and our friends.

Before Australia signs the treaty, the Government has a responsibilty to consider these problems carefully and to avoid the temptation of believing that any law of the sea is better than no law at all.

CSO: 5200/7540

BRIEFS

BARRIER REEF DETOUR--International recognition has been won for Australia's Great Barrier Reef Marine Park. Following the acceptance of an Australian proposition by the Inter-governmental Maritime Consultative Organisation, international ships will avoid a section of the park's Capricornia area, which lies offshore from Rockhmampton and Gladstone. The Federal Transport Minister, Mr Hunt, said this was an indication of growing international awareness of the importance of the reef. Officials said the area was off an important coastal fish nursery. [Brisbane THE COURIER-MAIL in English 3 May 82 p 22]

ENDANGERED TUNA--CANBERRA--Stocks of Australia's highly prized southern bluefin tuna are in danger of collapsing, CSIRO scientists have warned. Dr Garth Murphy and Dr Jacek Majkowski have called for a 20 per cent cut in catches by Australia and Japan--from 35,000 tonnes a year to about 28,000 tonnes. The scientists, from the fisheries research division, say that there could be a catastrophic collapse of the fish numbers in as little as five or six years if the spawning stock of the fish falls further. [Perth THE WEST AUSTRALIAN in English 4 May 82 p 75]

LOS RIFT DENIAL--CANBERRA--The Federal Government yesterday denied that some departments were divided over Australia's approval of the draft U.N. sea-law treaty. Australia joined 129 other U.N. member countries in voting in favour of the convention last week. The Deputy Leader of the Opposition, Mr Bowen, raised the issue of departmental support during question time when he referred to a report in the Financial Review yesterday that the ratification was opposed by the Department of Trade and Resources and by the Treasury. The Minister for Foreign Affairs, Mr Street, said that contrary to the report, he was informed "that there is agreement on Australia's attitude (to the treaty) between the departments." He said that Government policy was made by the Government, which had decided to support the treaty. [Perth THE WEST AUSTRALIAN in English 5 May 82 p 81]

PRAWN FISHING CONTROLS--Action is being taken by the Northern Territory Minister for Primary Production, Mr Steele, to gain greater control of coastal fishing grounds. Mr Steele wants to establish Fog Bay as a limited fishery in an attempt to protect local prawn fishermen He has asked the Federal Minister for Primary Industry, Mr Nixon, to convene a special meeting of the Australian Fisheries Council in Darwin. [Canberra THE AUSTRALIAN in English 7 May 82 p 3]

CSO: 5200/7540

JUDGE CRITICIZES NAVAL ZEAL IN CATCHING TRAWLER

Bombay THE TIMES OF INDIA in English 16 May 82 p 9

[Text]

BOMBAY, May 15 (UNI): The captain and 14 crewmen of a Taiwanese trawler, captured in India's exclusive economic zone off Cochin last November, have been acquitted by a city metropolitan magistrate, who has passed strictures against the Indian Navy officers for failing to do their duty.

The entire proceedings in the case "savour of high-handedness, arbitrariness and disregard for the law" and showed a "flagrant disregard" for the constitutional proprieties and guarantees afforded to individuals by articles 21 and 22 of the constitution, the magistrate, Mr. R. B. Maluste observed.

Mr. Maluste directed that the ship, the "Duan Long II", along with its fishing gear, equipment, stores, cargo and fish and seafood on board, be returned to its captain, Cheu Shui Po.

Cheu Shui Po and his crew had been charged under various sections of the Maritime Zones of India (regulation of fishing by foreign vessels) act, 1981.

The prosecution said that on November 3, INS "Brahmaputra" was directed to search for foreign fishing trawlers reported to be operating off India's western coast.

The seized trawler was taken to Cochin by the Brahmaputra on November 5, and its crew detained there. The vessel and crew were handed over to the coast guard authorities and brought to Bombay.

After a prolonged trial, the magistrate held that the Central government had not authorised any officer of the Indian Navy to take action under section nine of the act, and a naval officer had no power to stop or board a foreign vessel.

He passed strictures against the naval officers for failing to do their duty of handing over the crew to the police station at Cochin without any delay, and apprising them of the full particulars of the offences for which they were arrested.

CSO: 5200/7043

WRITER DECRIES TROUBLES OF INDIAN COAST GUARD

Calcutta THE STATESMAN in English 8 May 82 p 8

[Text] AMID all the talk of Mirage-2000, Mig-27, anti-tank missile systems and killer submarines, some of the less glamorous activities of the defence organization are apt to be overlooked. One such is the Coast Guard, created to safeguard our 5,500 km-long coastline and protect the ocean wealth in our exclusive economic zone.

Similar organizations abroad—including the U.S. Coast Guard—complain of being treated as poor relations by their navies, which usually manage to palm off obsolete boats and medicore officers. True to this pattern, the Indian Coast Guard started humbly in early 1977 with a fleet of seven old patrol boats and their complement taken over from the Navy and a retired Vice Admiral at its head. It was formally inaugurated with some fanfare in August 1978 with the statutory backing of the Coast Guard Act. By the middle of 1980, it had gained enough momentum to win Cabinet approval for acquiring Rs 100 crores worth of hardware, including Rs 70 crores for ships and aircraft. The organization then seemed poised for rapid growth—till it tried to equip itself.

To be sure, the Coast Guard has set up regional headquarters at Bombay, Madras and Port Blair and, more recently, at Haldia. It has made good progress in recruiting its own officers and sailors, though 80% or more of the personnel are still drawn from the Navy. A working drill for close coordination with the Customs department has also been evolved. The recently enacted Maritime Zone of India (Regulation of Fishing by Foreign Vessels) Act, 1981, provides for confiscation and severe penalties and has enabled the Coast Guard to capture quite a few trawlers poaching in Indian waters. The Defence Minister told the last meeting of the parliamentary consultative committee of his Ministry that the coast guard was being strengthened "through the acquisition of off-shore and in-shore patrol vessels, helicopters and surveillance aircraft". Fine, except that the search for ships and aircraft for the last couple of years has brought only despair, thanks to official maladroitness and the wiles of Indian agents.

SURVEY PLANES

An early policy decision had been taken to give priority to getting maritime reconnaissance aircraft for obtaining quicker information and optimizing the use of boats. Since the need was not for sophisticated machines but for simple, small aircraft allowing good visibility, which could be had readily and in large numbers to be able to cover the entire coastal area, the choice was to be determined mainly by cheapness and quick delivery. The Coast Guard accordingly asked to buy nine "Islander" aircraft at a cost of Rs 3 to Rs 4 crores in all and available practically off the hanger. As a bonus, there would be saving on support and maintenance facilities, as the Indian Navy is already operating these aircraft.

The Islander, however, found few takers among the higher ups. In fact, it got stuck in the type of slush that seems increasingly to distinguish—if that indeed is the word for it—military shopping in the Western market. A retired Navy officer is the Indian agent of the suppliers. There were allegations that top officials of the Ministry were showing undue interest in certain aircraft of Spanish and Italian origin, which the Coast Guard had found unsuitable. The

Defence Ministry, despite much shaking of heads, neatly side-tracked the proposal by suggesting the use of Indian-made Avro, of which a few were being discarded by the Indian Airlines. No one was going to risk his neck by rejecting out of hand a seemingly sensible (but really quite atrocious) option emanating from the topmost level in the Ministry's secretariat.

The next best thing was done instead: the setting up of a high-power Technical Committee to evaluate the Avro and to indicate if it needed to be modified to be suitable for Coast Guard use. The Committee's conclusions were: the Coast Guard did not need a 45-seater aircraft for the surveillance role (the Islander being only a 5-seater); each Avro would, in addition to the "throwaway" price of Rs 1 crore asked by the IAC, cost about Rs 4 crores for modifications; its operating cost was roughly nine times that of the Islander. So that was that.

If anybody thought that, with the Avro's departure, the runway was clear for the Islander, he should have known that officialdom cannot be outmanoeuvred so easily. The case was then linked with the idea of a common light aircraft (LTA) for civil and defence use. This was as effective a way to kill the Islander proposal as any other, since half a dozen committees have already deliberated on the LTA feasibility without a conclusion being reached. The concept itself has some merit but is irrelevant to the Coast Guard requirements. Besides, the sequence of its being brought in was suspect. Next someone might well propose an HAL-designed aircraft for the Coast Guard.

The net outcome is no reconnaissance aircraft, none on order, none in sight. Except for the three Chetak helicopters delivered by HAL recently, the organization continues to be at the mercy of the air force and navy for its search, surveillance and other tasks—as and when aircraft can be spared by them.

PATROL BOATS

Efforts to obtain ships have fared no better. Three off-shore patrol boats are under construction at the Mazagon Dock in Bombay but the first of these will, if all goes well, be delivered only late next year. Sanction also exists for three seaward defence boats (SDBs) to be built by Garden Reach Shipbuilders & Engineers (GRSE), Calcutta, the shipyard earmarked for smaller ships and known for executing orders in its own good time. Three SDBs ordered by Customs in 1976, which stand diverted to the Coast Guard, are still not ready and will not be ready this year.

Two others, ordered by the Navy in 1977-78 were, however, delivered at the end of 1980 which on past record was a favour of sorts—except that their basic design was found defective. The hull lines were faulty, making the boat unstable and prone to cavitation. It was also too heavy, so that a more powerful engine had to be put in, which in turn increased the tendency of the propellers to create cavitation.

Predictably, the Coast Guard showed little enthusiasm for its ships being built by GRSE and sought to import them instead, as also the construction technology. This came to be known as the Inshore Patrol Vessels (IPV) project for which, after approaching a large number of foreign shipyards and screening their responses, two Japanese and one South Korean shipyard were shortlisted. Meanwhile, the Government agreed in June last year to the import of four IPVs and to six more being ordered on the Indian shipyard, based on imported design of the selected source.

In a country used to sending dignitaries on foreign jaunts on the weirdest of excuses, the Defence Ministry could hardly be expected to tackle a deal for purchase of ships without at least one official team visiting foreign shipyards for first-hand information. A broad-based technical delegation was, therefore, readied to visit Japan and Korea before anyone got down to serious business. Now things began to happen.

An official in the Prime Minister's office was reportedly "not satisfied" with the shortlisting of the shipyards. After a question and answer session, the visit was eventually cleared with a rider that, if in the meantime anything else worth while can be located, it should also be considered. And it did no good to official credibility that, within a few days, an offer obligingly arrived from another Korean shipyard called Tacoma, owned by the Dae Woo Company, whose representative in India is reputed to have the right connexions in the right places. The team was asked to visit the Tacoma shipyard too

RIVAL LOBBIES

Detailed negotiations with the parties followed the delegation's return to India in November last. The resultant recommendation, said to be in favour of Sumidagawa of Japan, is evidently not to the liking of the late entrant in the race. The Ministry has been treated to a spate of letters explaining how stupid it is being in ignoring Tacoma. And with what could well be the envy of any intelligence-gathering agency, the letters seem to use inside information on who said what and when and where, including opinions expressed by individual members of the evaluating term.

The jangled response of the authorities was to order the motions of technical, financial and commercial evaluation again and yet again. After the exercise had been repeated a couple of times, the Director General, Coast Guard, reportedly got fed up, and said so with the help, one supposes, of some of the choice expletives which Admirals like to use when upset. Another Vice Admiral took over as DG from April 1 this year.

The final decision, which sources claim is imminent, may yet cause purpling of some faces. Meanwhile, this programme finds mention in the Defence Ministry's Annual Report 1981-82 in these carefully drafted terms. "In order to meet the urgent requirements o fthe Coast Guard, it is proposed to acquire four fast patrol craft (Inshore Patron Vessels) from a foreign shipyard. This project also envisages transfer of design and technology to enable indigenous construction of similar craft to be undertaken in Indian shipyards. The process of selection of a foreign shipyard is going on and orders for these vessels are likely to be placed shortly."

The young Coast Guard is not getting any thinner but the weight it is allowed to put on so far is in the wrong places—mainly by way of manpower. To thrive and grow in the present environment, it must, true to its naval parentage, learn to sail with the wind.

CSO: 5200/7042

INDIA

BRIEFS

SEA LAW BENEFITS NOTED--MADRAS, May 17--About 20 fishing vessels found poaching in Indian waters were captured last year by the Indian Navy and the Coast Guard. Giving this information to newsmen here today, Vice-Admiral M. K. Roy, Flag Officer Commanding-in-Chief, Eastern Naval Command, said the signing of the Law of the Sea by the year-end would greatly help India in containing poaching activities in the Indian Ocean. He said the highlights of the Law, approved by the UN last week, were the provision of "Territorial Seas" to a country up to 20 km, a "Contiguous Zone" for the next 40 km and an exclusive Economic Zone of 320 km. In effect, he said, all international straits less than 40 km would now become "national". About 120 straits in the world were affected by this new rule. Admiral Roy said environment and pollution were new areas where the Navy could play a vital role. He was speaking to newsmen on board INS Amba, which docked at the Madras Port on its way back from Sri Lanka. The Commanding Officer of the ship, Captain Suresh Bhandoola, said INS Amba was a submarine support vessel which provided total support to submarines far out on the seas. She was now training 65 cadets of the Navy's integrated course. [Madras THE HINDU in English 18 May 82 p 11]

DEEP SEA FISHING BOOST--NEW DELHI, May 7 (PTI)--The government proposes to expand the fleet of deep sea vessels from 57 to 350 by the end of the current five-year plan, the Union minister of state for agriculture and rural development, Mr. R. V. Swaminathan, said here yesterday. Inaugurating the day-long national workshop on fisheries development, the minister said, marine fish production for 1982-83 has been fixed at 1.86 million tonnes against 1.69 million tonnes in the previous year. The target for inland fish production been increased to 1.1 million tonnes this year against 955,000 tonnes in 1981-82, the minister added. Besides secretaries and commissioners incharge of fisheries of various states and Union territories, officials of the Union ministry of agriculture, representatives from port trusts, and planning commission are also parcipating in the workshop organised by the Union ministry of agriculture to discuss measures for increasing fish production. [Bombay THE TIMES OF INDIA in English 8 May 82 p 13]

CSO: 5200/7041

U.S. CUT IN ALASKAN FISH QUOTAS PROTESTED

OW051051 Tokyo KYODO in English 0917 GMT 5 Jun 82

[Excerpts] Tokyo, June 5, KYODO -- Japan and the United States will hold five-day talks in Seattle, Washington, next week to reexamine Japan's import quotas on Alaskan pollack and herring.

The talks, which open next Monday, are expected to center on a U.S. request for a huge increase in its pollack quota from 14,000 tons for fiscal 1981 to 400,000-600,000 tons for the current fiscal year. The U.S. delegation made the strong request taking into consideration the current trade friction between the two nations.

Informed sources close to the Fishery Agency said the outcome of the talks will have serious influence on bilateral fishery negotiations for extension of the five-year Japan-U.S. fishery accord, which are scheduled for June 15-16 in Washington.

Japan is expected to make a substantial compromise with regard to the pollack quota, proposing that the quota be raised to the 60,000 ton level in fiscal 1982, and to the 200,000 ton level within the next four or five years to partly accommodate the U.S. demand.

During the bilateral talks, Japan will also file a strong protest with the U.S. Government against a sharp cut in the fish quotas for Japanese fishing operations within the 200 nautical mile zone off U.S. coasts.

At the talks in Seattle, the Japanese delegation will be led by Kiichi Inoue, director of the Oceanic Fishery Department of the Fisheries Agency, along with Fumio Imanaga, executive director of the Nippon Suisan Kaisha. The U.S. will be represented by W. Gordon, director of the National Marine Fisheries Service Department of the U.S. Department of Commerce.

At the governmental negotiations to be held in mid-June, Japan will be represented by Inoue and the U.S. by T. Kornmiller, deputy assistant secretary of state.

CSO: 5200/2086

BRIEFS

DPRK TO FREE BOATS--Fukuoka, May 20, KYODO--Two Japanese dragnet fishing boats seized by North Korea will be released upon payment of a fine by their owner, it was learned Thursday. The two ships are the No. 85 Kyofuku and No. 83 Kyofuku, both of 114 tons and with 12 and 13 crewmen, respectively, owned by Taiju Fishery Co. in Fukuoka city. They were seized by a North Korean warship while operating in the Yellow Sea on May 11. It is assumed that they sere suspected of violating North Korea's military demarcation line. The fine to be paid by the owner reportedly amounts to yen 13 million. [Text] [OW200951 Tokyo KYODO in English 0940 GMT 20 May 82]

CSO: 5200/2086

CAPTURED JAPANESE FISHING BOATS ARE RELEASED

SK280434 Pyongyang KCNA in English 0429 GMT 28 May 82

[Text] Pyongyang, May 28 (KCNA) -- The Japanese fishing boats "Kyofuku-Maru No. 83" and "Kyofuku-Maru No. 85" belonging to the Taiju Fishing Company, Ltd. of Japan were apprehended by a patrol boat of the navy of the Korean People's Army at around 10 hours on May 11 while fishing after illegally intruding into the spot 38 degrees 5 minutes north latitude and 124 degrees 15 minutes east longitude inside the military boundary of the Democratic People's Republic of Korea.

It was not the first time that Japanese fishing boats did fishing after illegally crossing the military boundary of the east and west sea of our country. In April alone they numbered several hundreds, of which more than ten were apprehended.

Each time the competent organ of the DPRK took lenient steps, taking into consideration the good-neighbouring relations with the Japanese people. Although the apprehended boats and crewmen should have been punished by law of our country, the competent organ of the DPRK leniently pardoned them as they honestly admitted their crime and gave assurances that they would no more cross the military boundary, and sent back all the crewmen together with their boats on May 28.

The competent organ of Japan must not abuse the friendly step of the DPRK Government but take appropriate measures lest Japanese fishing boats should cross the military boundary of our country.

CSO: 5100/2187

PRK THREATENS OFFSHORE OIL CONCESSIONAIRES

Bangkok BANGKOK POST in English 30 Mar 82 p 21

[Article by Alan Dawson]

[Text]

PHNOM Penh's Heng Samrin regime yesterday claimed that Thailand had illegally auctioned off Kampuchean waters to foreign oil exploration firms. It warned the firms to keep their rigs out or face the consequences.

A statement from the administration's Foreign Ministry contained specific warnings to an American-Japanese consortium to stay out of two exploration blocks in waters west of Trat, Thailand's southeasternmost province.

The blocks specified are B-5 and B-6, which were awarded several years ago to a 50-50 joint venture of American oil giant Amoco and Idemitsu Exploration Co (Thailand), a subsidiary of Idemitsu Kosan Co Ltd of Japan.

Ownership of the waters and continental shelf off southeastern Thailand have been disputed by Kampuchea and Thailand for many years. But current hostility between the two nations because of Vietnam's 1979 invasion make the Kampuchean threats more serious.

The Thai Foreign Ministry withheld comment on the Kampuchean claim until officials had seen the document.

But a ranking official of the Mineral Resources Department told *Business Post* that he was surprised at yesterday's statement from Phnom Penh.

"The exploration concession was granted to the companies in April 1968, following the rectification of the convention on continental shelf and Geneva conventions on the Law of the Sea in 1968," he said. "Kampuchea at that time (under Prince Norodom Sihanouk, and later under Lon Nol and the Khmer Rouge) did not protest or claim the waters involved."

The Heng Samrin regime, which now rules the country along with 200,000 Vietnamese troops, said it had learned the foreign companies "had just obtained concession rights for petroleum exploration" on the two blocks, which total about 25,857 square kilometres of undersea territory.

The Phnom Penh statement said Kampuchea was willing to talk over the issue. "Nevertheless, the People's Republic of Kampuchea is firmly determined to defend its sovereignty, its territorial integrity and its rights to natural resources in its maritime zone and its continental shelf.

"Any foreign company which conducts petroleum exploration on the Kampuchean continental shelf without authorisation from the People's Republic of Kampuchea will be responsible for all consequences which arise from their illegal actions."

This, in diplomatic language, is a threat to attempt to blow any oil exploration rigs or ships out of the water. In 1974, a similar threat by South Vietnam to an American firm drilling in waters claimed by Kampuchea resulted in an immediate halt to drilling by the US company.

The blocks have been inactive for many years, in fact. In 1977, Amoco and Idemitsu announced plans to drill a 7,000-foot test hole on block B-5 using the drilling ship Diamond M Dragon, but it could not be learned immediately yesterday if the test hole was drilled.

Neither Amoco nor Idemitsu officials could be reached for comment yesterday.

CSO: 5200/5663

'NHAN DAN' REVIEWS STATEMENT ON TERRITORIAL WATERS

BK080323 Hanoi NHAN DAN in Vietnamese 12 May 82 p 3

[Article by Luu Van Loi: "Our Sea Areas and Continental Shelves"]

[Text] May 12, 1977 was an important date. On this date the SRV Government made public a statement on Vietnam's territorial waters, contiguous zones, exclusive economic zones and continental shelves.

Inviolable Rights:

In its 12 May 1977 statement, our government stipulated the limits of Vietnam's territorial waters and continental shelves and its sovereignty and other national rights over this area.

Vietnam is a country that borders on the Eastern Sea. A legend--which has been passed on since the early days when the country was first founded--has it that our first ancestors were born from a sac that contained 100 eggs. After their birth, 50 of them followed their mother to go to the mountains while the other 50 followed their father to go toward the sea. This attests to the fact that the early Vietnamese did not confine themselves to the Red River Delta, but they also set out to conquer both the mountains and the seas. Despite this, until recently our people still had simplistic, if not vague, ideas about the law of the sea. Also, our people used to talk vaguely about territorial waters and the sea area. In fact, the seas are divided into two sections: an open section and a section under national jurisdiction. National waters are also subdivided into many parts: namely internal waters, territorial waters, contiguous zones and exclusive economic zones. Under the national waters lies the continental shelf.

In the 12 May 1977 statement, our government also made public its view and stipulations on the limits of and its sovereignty and rights over Vietnam's territorial waters and continental shelves.

Territorial waters are sea areas over which we exercise full sovereignty. This also applies to the airspace, the seabed and the strata under the seabed within the territorial waters. Our territorial waters extend 12 nautical miles (1 nautical mile equals 1,832 meters) or approximately 22 km, not measuring from the coastline but from a baseline which links those points along the coast which jut out to sea with the furthermost points on Vietnam's offshore islands, measuring from the lowest tidal mark outward. This baseline will be made public at an appropriate time, but we are certain that this line will be precisely the line that links various islands bordering the coast because our country possesses many islands along the coast.

The waters within the baseline and close to the coast are the internal waters of the SRV as defined by the law on inland territory.

The contiguous zone is the sea area from the furthest extreme of Vietnam's territorial waters to a point 12 miles away. In the contiguous zone, we exercise the control necessary to maintain security and to protect our interests in maritime customs and taxation and to ensure respect for regulations regarding public health, migration and immigration within our territory or territorial waters.

The exclusive economic zone starts from the outermost point of Vietnam's territorial waters and, together with the territorial waters, forms an area 200 nautical miles wide, measured from the baseline which is used to measure the width of Vietnam's territorial waters.

In the exclusive economic zone, our country exercises many designated economic rights over many sectors, such as exploration, exploitation, protection and control and natural resource and living or nonliving things in the waters, in the seabed and in the strata under the seabed. These rights are regarded as exclusive rights. This means that whether or not we declare our possession of or exploit these natural resources, they will remain in our possession.

The continental shelf is composed of the seabed and the strata under the seabed which are within the natural area of Vietnam's continent and which extends beyond Vietnam's territorial waters to the outermost points of the continent. Despite the fact that there are places where the outermost points of the continent are less than 200 nautical miles from the baseline -- which is used to measure the width of the Vietnamese territorial waters -- the continental shelf must always be considered to be 200 nautical miles from the baseline. Our country has total sovereignty over the exploration, exploitation, protection and control of all the natural resources within Vietnam's continental shelf, including mineral deposits and living and nonliving things which are found on Vietnam's continental shelves.

All islands and groups of islands which are Vietnamese territories and which are located beyond the territorial waters of the Vietnam mainland have their own territorial waters, contiguous zones, exclusive economic zones and continental shelves.

As our country shares the same sea areas with many countries which are located opposite or close to us, we must tackle in a positive manner those problems related to the boundaries of our country's territorial waters and continental shelves with each of these neighboring countries. Therefore, based on its policy of peace, cooperation and friendship, and from its attitude of good will, our government pointed out in its 12 May 1977 statement that "it will sit down with neighboring countries to solve problems related to each other's territorial waters and continental shelves through negotiations on the basis of respect for each other's independence and sovereignty in accordance with international law and customs."

Continental Vietnam and Oceanic Vietnam:

The French formerly applied law in Indochina which they had enacted in 1888. Under this law -- which became effective in 1926 -- the French established a width of 3 nautical miles (approximately 5,500 meters) for Indochinese territorial waters. In 1936, the French readjusted the width of Indochinese territorial waters to 20 km (approximately 10.5 nautical miles), measuring from the lowest tidal mark outward.

After the August 1945 revolution, our people founded the Democratic Republic of Vietnam. But, in fact, we had to concentrate our greatest efforts on carrying out the resistance that led to the defeats of the French colonialists and the U.S. imperialists and to the achievement of national liberation and unification. There was only one time that the government of the Democratic Republic of Vietnam claimed territorial waters 12 nautical miles wide to be controlled by the Vietnamese states. Although this claim did not set forth any clear-cut stipulations, it reflected our government's desire to extend its territorial waters to width of 12 nautical miles.

In the south, the Saigon administration claimed a width of 12 nautical miles for its territorial waters (in 1974), 12 nautical miles for its contiguous zone (in 1965), 62 nautical miles for its exclusive fishing zone (in 1972), and an extension of its claim to a depth of 200 meters for its continental shelf in accordance with the concept laid down in the 1958 Geneva convention on continental shelves.

In short, since the people assumed administrative power, our country had not established official regulations on its territorial waters, contiguous zones, exclusive economic zones and continental shelves.

The 12 May 1977 statement rectified this situation and it is of great significance.

Legally speaking, this was the first time the Vietnamese people's administration had officially established limits for each sea area and continental shelf of unified and sovereign Vietnam, and the rights of our country over its sea areas and continental shelves. This is the Vietnamese people's administration's first legal document on the seas, and it is a first, but very basic, step toward documenting our country's sovereignty and rights on the seas.

With its 12 May 1977 statement, our state clearly asserted its sovereignty and rights over specific sea areas and continental shelves so that other countries may know and respect them and our people and armed forces can resolutely defend them. Our country's sovereignty has thus been extended toward the seas to cover the exclusive economic zones and continental shelves. In view of this, the formerly held concept that Vietman consisted only of the S-shaped continent and the Hoang Sa and Truong Sa archipelagoes has now become obsolete. Since 12 May 1977, Vietnam has been comprised of continental Vietnam, measuring 329,600 square kilometers, and oceanic Vietnam, which is several times larger than continental Vietnam and includes the two archipelagoes of Hoang Sa and Truong Sa. Today's Vietnam spreads from the vast expanses of mountains, forests and ricefields to an immense part of the Eastern Sea. Since the founding of the State of Van Lang [the first Vietnamese state], our country has gone through many stages of development; but this marked a turning point in our national history: Our country expanded eastward vigorously on the basis of international law.

The assertion of our country's inviolable sovereignty over the continental shelves and exclusive economic zones is of great significance because the part of the Eastern Sea that belongs to Vietnam, especially the areas surrounding the Hoang Sa and Truong Sa archipelagoes, is very rich in natural resources, notably petroleum and natural gas.

This is of even greater significance in the field of security. Today, everyone is clearly aware of the true face of the Beijing reactionaries. Following in the footsteps of the feudal and bourgeois Chinese administrations of old, they are pursuing their traditional scheme of expanding southward, with the first target being Vietnam, which will be used as a springboard to conquer other countries in Southeast Asia. Their plan is to gradually control and then monopolize the Eastern Sea in an attempt to blockade Vietnam, Laos and Kampuchea, spread throughout the rest of Southeast Asia and control sea and air lanes between east Asia and Europe, Africa, South Asia and West Asia, as well as between the Pacific and the

Indian Ocean and the Atlantic. In asserting our country's sovereignty over the part of the Eastern Sea that belongs to Vietnam, including the strategically situated Hoang Sa and Truong Sa archipelagoes, we are not only protecting our country's legal and legitimate interests, but also making a practical contribution to checking Beijing's scheme of oceanic expansion for the sake of peace and stability in Sotheast Asia.

In all respects, the 12 May 1977 statement of our government is indeed of historic significance.

With a new Vietnam comprising a continental part and a much larger oceanic part, we must change our way of thinking and posing and resolving problems which face the country. For example, in natural geography, we used to talk only about land and sea areas in general terms, inland mineral deposits and climatic zones in the lowlands from north to south and in the mountain and highland regions. In reality, the entire Eastern Sea areas, particularly the Hoang Sa and Truong Sa areas, should be considered a separate region due to their special characteristics in many respects. This region has two distinct climatic seasons (the rainy and the dry seasons) and is the most storm-prone region of our country. Its mineral resources, though lacking in variety, are economically very significant, including phosphate (taken from guano) which can be found in amounts ranging in the millions of tons on some islands, and petroleum and natural gas which, thought yet to be systematically explored, exist, in all probability, in large deposits on our country's continental shelves.

In delineating economic zones and exclusive economic zones, we must not overlook the continental shelves in general and the Hoang Sa and Truong Sa areas in particular, because once work is started on the exploitation of petroleum and natural gas in the continental shelves, it will have a tremendous impact on our national economy. From a scientific standpoint, the formation of the seabed, the continental shelves and especially the atolls in the Hoang Sa and Truong Sa areas present many interesting issues in the pedological, botanical, biological, climatic, hydrological and other fields, which are completely different from those on land.

The 12 May 1977 statement by our government, with its rich content and great significance, poses for us a series of problems that must be resolved in order to control our sea areas, defend our sovereignty and protect and exploit the natural resources existing in our country's sea areas and continental shelves.

CSO: 5200/2086

INTERVIEW WITH LAW OF SEA CONFERENCE DELEGATE

AU191348 East Berlin NEUES DEUTSCHLAND in German 18 May 82 p 6

[Interview with Gunter Goerner, head of the GDR delegation to the Third UN Law of the Sea Conference -- date and place not given]

[Text] Question: After many years of negotiations the new convention on the Law of the Sea was recently adopted in the UN headquarters in New York. How do you assess the achievement of the convention under the present international conditions?

Answer: The convention is the result of many years of constructive cooperation of the countries of the socialist community with the nationally liberated countries of Asia, Africa and Latin America, which jointly reject the efforts of the United States and certain other imperialist states to obtain unilateral advantages in determining the new legal order on the seas. The completion of the convention -- over 150 states actively participated in working it out -- demonstrates that even in the present complicated international situation it is possible to settle global problems which are of a vital interest for all states and develop new fields of peaceful international cooperation. The provisions of the convention aim -- as is stated in its preamble -- at contributing to strengthening peace and security and to peaceful cooperation between all countries and at promoting the economic and social progress of all peoples in accordance with the aims and principles of the UN Charter.

Question: What are the most impoetant provisions of the convention and how are the interests of the socialist countries taken into account?

Answer: The convention provides in a comprehensive way, on the basis of international law, for nearly all human activities on the seas. Here both the already valid norms of international law, for example, the legal order governing territorial waters, the continental shelf and the high seas, are confirmed and completely new provisions, like the creation of economic zones and the legal order governing the exploitation of the resources of the seabed are included. For the GDR, which transports over a third of its foreign trade goods by sea, the provisions on the freedom of navigation for all ships, including through international straits, are important, as are the provisions on the conservation of the maritime environment and free scientific maritime research.

As with all worldwide international agreements between states of diverse socioeconomic systems mutual concessions by the participating states were inevitable in working out the convention on the Law of the Sea. Not all the demands of each individual state could be taken into account but no provision of the convention goes against vital national interests of any state.

On the adoption of the convention, therefore, the GDR and the other socialist states also declared their full support for the text of the convention and its resolutions on the participation in the convention of national liberation movements and territories whose peoples have not yet achieved full independence and on the commission to create an international seabed authority.

Question: When there was a vote on the entire package of the results of the conference the GDR and other socialist states abstained. How is one to understand this abstention?

Answer: In the last days of the negotiations the president of the conference submitted on behalf of the United States and other imperialist states a draft resolution on the protection of so-called pioneer investors in deep sea mining.

According to this resolution, enterprises which have already invested at least 30 million U.S. dollars in deep sea mining should be given preferential rights in investigating and exploiting the resources of the deep sea. The deep sea mining enterprises of the USSR, India and several other countries will only be registered as pioneer investors if these countries have signed the convention, whereas four transnational concerns, which include legal entities from the United States and Canada, as well as from six Western European countries, will be granted the status of pioneer investor if only one of the countries of North America or Western Europe has signed the convention.

Owing to this regulation the USSR and other countries are politically discriminated against. Moreover, it can make difficulties for the international seabed authority which will be set up, as some states may stay out of this authority, whereas the transnational concerns are engaged in sea mining. Therefore, this resolution cannot be adopted by the socialist countries. As no motions for amending this draft resolution and no separate vote on it were allowed the socialist countries were forced to abstain in the overall vote. This, however, does not affect the positive evaluation of the convention itself as well as of the other resolutions.

CSO: 5200/2086

BRIEFS

TRINIDAD-VENEZUELA CLASH--Port-of-Spain, Trinidad, Tuesday (CANA)--The Trinidad and Tobago Coast Guard has been ordered by the Ministry of National Security to give a detailed account of an incident in which a Coast Guard vessel allegedly fired on Venezuelan fishermen in their territorial waters a few days ago, a senior government official said. Radio reports from Venezuela monitored here, claimed that members of the Trinidad and Tobago Coast Guard had boarded a Venezuelan fishing vessel Thursday and assaulted the ship's captain. The Permanent Secretary in the Ministry of National Security, Leo Seebaran, said the Coast Guard was to report immediately on the matter. But commander of the Defence Force, Commander Mervyn Williams who has also ordered an investigation into the reports, said to his knowledge the incident did not take place. A spokesman from the Venezuelan Embassy here said he had heard the newscast, but had received no official word from Caracas. Alleging hostilities by the Trinidad and Tobago Coast Guard, the Venezuelan radio report said the local vessel later made off with the fishermen's catch. [Text] [Bridgetown ADVOCATE-NEWS in English 19 May 82 p 3]

CSO: 5200/7541

BRIEFS

OFFICIAL ON U.S. EMBARGO, TUNA SALES--Mexico City, 20 May (EFE)--Fernando Rafful, chief of the Mexican Department of Fisheries, said here today that Mexico is not prepared to resume its participation in an organization like the "international agreement on yellowfin tuna," CIAT. In a statement to the press, the official added that returning to the CIAT would mean "reversing everything we have achieved regarding fishing development; that is, our tuna catch would be limited to 26,000 tons a year whereas we now have a capacity to catch up to 80,000 tons." He added that his country is well disposed toward opening negotiations to lift the tuna embargo the United States imposed on Mexico in 1980, which he described as "inappropriate." Rafful explained that the United States has in no way pressured Mexico to resume the negotiations or to return to the CIAT. He noted, however, that talks with the United States may be resumed before the end of this year. On other subjects, the fisheries official reported that progress has been made with Italy regarding exports of processed tuna. He said some quantities have been sold to Panama and that negotiations have been initiated with Spain and France to determine the quantities of surplus that may be supplied to them. [Text] [PA151610 Madrid EFE in Spanish 0016 GMT 21 May 82]

'READY' TO RESUME TALKS--Mexico, 19 May (NOTIMEX)--Fernando Rafful Miguel, chief of Mexico's Department of Fisheries, today said Mexico "is ready" to resume dialogue with the U.S. Government to find a solution to the tuna embargo. He defined the current tuna embargo by the U.S. authorities as "inadequate" and stated that the problem should be resolved "by countries which share common obstacles and borders." He added, however, that in order to reach any possible agreement it must be clear that Mexico will refuse to "reverse its position on closed issues" such as Mexico's return to the Inter-American Tropical Tuna Commission. [Excerpt] [FL200001 Mexico City NOTIMEX in Spanish 2235 GMT 19 May 82]

CSO: 5200/2086

ITALIAN COMPANY TO UNDERTAKE FISHING PROJECT

Libreville L'UNION in French 10 May 82 p 4

[Text] By virtue of a document signed in Libreville on 7 May, the Italian consortium of Ingeco-Breda-Progetti could very well undertake the Port-Gentil integrated fishing project this year.

The document was signed for Gabon by Dr Herve Moutsinga, minister of waters and forests, and for Italy by Messrs Ruggeri, Alberto Mara and C. Bertone. The signing was also witnessed by Mapangou Bourobou, adviser to the minister, Ondo Obame, deputy general director of waters and forests, and Mathieu Ndong, director of industrial fishing and maritime activities.

The negotiations, which had been going on since 27 April between the Italian delegation and experts from the ministries in question, including waters and forests, have therefore reached the stage of the joint drafting of this preliminary declaration of intention, which Dr Moutsinga presented as proof of the Italian and Gabonese authorities' determination to express their excellent relations in concrete, lasting actions.

The Port-Gentil integrated fishing project was presented to Italian economic operators in November 1981 as part of a series of priority industrial projects by President El Hadj Omar Bongo at the time of his working visit to Rome.

Because of its experience in industrial fishing and fish processing, the Ingeco-Breda Progetti group later manifested its wish to participate in the project. A document was submitted to Minister Etienne Moussirou (Commerce and Industrial Development) by Alberto Mara.

At the same time, through that document, the group gave a resume of its knowledge, capabilities and experience in different industrial activities. At the time of a business trip to Rome in January 1982, a visit essentially based on the continuation of talks begun by the chief of state, ministers Etienne Moussirou, Pascal Nze (Planning and Development) and Jean-Pierre Lemboumba Lepandou (Economy and Finance) were once again to examine the proposal from Ingeco-Breda Progetti.

The signing of the declaration of intention on Friday constitutes the end of the first phase of negotiations. The second phase will involve the determination of the material, technical and human resources needed to actually begin work.

For the time being, it has been approved that the project will essentially involve the creation of a flotilla under the Gabonese flag for the working of pelagic resources to be processed, the construction of a complete processing plant (canning, and so on), equipped with a cold storage room, a fish processing chamber, laboratory, workshops, offices and housing. A training program for Gabonese personnel was also studied.

Financing of the project will come from the major line of credit which the Italian Government granted Gabon in November 1981, with the amount of that credit to be set by a joint agreement between the two parties. According to plans, the plant's production capacity is 8,000 tons of canned products a year.

In addition, Ingeco-Breda Progetti brought another Italian firm, COGEPI [expansion unknown], into its negotiations with Gabon, in the person of Mr Marchio, who has been in Gabon for 7 hears and involved in the development and working of marble, forest production, the marketing of Italian products and construction of the Trans-Gabonese Railroad. Ingeco-Breda Progetti also has experience in Africa, having served as a general entrepreneur and supplier of food technology to Algeria, Tunisia, Nigeria and Saudi Arabia.

Already present in sectors such as professional training and railroad construction, Gabonese-Italian cooperation, through completion of the Port-Gentil integrated fishing project [portion of text missing].

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CSO: 5200/5660

LOS AMBASSADOR ANDERSEN COMMENTS ON UN CONFERENCE

Reykjavik MORGUNBLADID in Icelandic 1 May 82 p 1

[Interview with Hans G. Andersen, Icelandic Ambassador to the United Nations, by Eyjolfi Konrad Jonssyni, correspondent for MORGUNBLADID; in New York on 30 April 1982]

> [Text] New law of the sea proposals were approved yesterday in the LOS Conference of the United Nations. At the request of the Americans, votes were cast in letters written to the conference president yesterday morning, and attendance was taken. The proposals were approved by 130 nations, while four voted against them and seventeen abstained from voting. Negative votes were cast by the United States, Israel, Venezuela, and Turkey; abstentions involved the Eastern European nations, Romania, the EEC nations, Thailand and Spain. The conference in New York adjourned yesterday evening, following the many difficulties which have been undergone in the course of the past few days, chiefly having to do with the exploitation of the resources of the sea floor many miles out. "This is a real turning-point for us Icelanders, in our 35-year struggle over territorial waters," Ambassador Hans G. Andersen said in an interview with MORGUNBLADID.

[Andersen] "The proposals were patterned after the coastal waters laws of 1948," the ambassador continued. "They stipulated that Icelandic laws and regulations should be valid in Icelandic waters. This policy aimed at having Icelandic jurisdiction over the ocean resources in these waters without extending the actual territorial waters line; that is to say, provisions were made for resources jurisdiction outside of the territorial waters. It was this policy which has now achieved a real victory in the approval of the LOS proposals, which will be underwritten later this year and will become valid 12 months after 60 nations have approved them.

[MORGUNBLADID] What is uppermost in your mind right now?

[Andersen] Now that this matter has been taken care of, I suppose that I feel happy, and I am tasting the sweetness of victory; but I also feel thankful for the excellent cooperation I felt from delegates of many other nations at the conference. Within the Icelandic delegation, we were always in agreement. All our delegates and political party representatives all through the conference have always seen our final goal as a guiding light; and here we are sailing into the harbor with that lighthouse dead ahead, as it were. It is wonderful to have had the opportunity to have embarked on this hazardous voyage, especially now that we are reaching our destination after perservering through the surf and the rocks.

[MORGUNBLADID] Can you tell us something about the content of the proposals?

[Andersen] Well, the entire document, including the amendments, takes up some 500 articles. I cannot really say that I have made a note of every article or every sentence. The proposals cover an area which takes up some three-quarters of the earth's surface, and they include details of many complicated and difficult issues. There are regulations concerning territorial waters, coastal waters, economic jurisdiction, the high seas and the sea floor in those areas, etc.

I can say, though, that those issues which have the most significance for us Icelanders have been achieved. Within a 200-mile economic jurisdiction, the Icelanders have sovereign rights over the resources of the sea. We will determine ourselves our own fishing quotas and limits, and the quantity of the amount fished that we will utilize for ourselves. We will also determine what to do with the excess, and will not be bound by regulations which apply to the fisheries of landlocked nations, or of those nations whose geographical position puts them under the jurisdiction of others. These provisions will not be subject to the decisions of third parties. This has always been one of our chief goals, and it is now a part of the new LOS negotiations, as well as a myriad of other items which in no way diminish what I have just described.

It is no exaggeration to say that the Icelanders have won a great victory. The dream has become reality.

[MORGUNBLADID] The United States voted against the new agreements. What does this mean?

[Andersen] It has long been thought that the Americans would be the prime movers in the exploitation of the sea floor in international waters. However, that does not mean that they will not honor these new agreements. Whether they do or not, though, they may well oppose this because of individual firms participating in industry on the sea floor.

[MORGUNBLADID] When did the provisions for Iceland come into being?

[Andersen] When the first LOS conference was held in Geneva in 1958, proposals were made to set maximum territorial waters at 12 miles. The Icelandic delegation had two things in mind: on the one hand, to emphasize the necessity that natural resources jurisdiction would be recognized outside the actual territorial waters line, and on the other hand, to emphasize that a nation which based its living on fisheries ought to be able to enjoy genuine independence. No decisions were reached on these issues in 1958, and because of this another session was called in 1960. We repeated our arguments there, but achieved no results. We continued this tradition at this conference. Our provisions come into the text early on, in Article 71. All attempts to deter these provisions or to eliminate them from the text have failed.

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CSO: 5200/2075

PAPER COMMENTS ON ACHIEVEMENTS AT CONFERENCE

Reykjavik MORGUNBLADID in Icelandic 4 May 82 p 18

[Editorial: "LOS Controversy Safe in Harbor"]

When the Icelandic Althing approved the so-called coastal waters laws in April of 1948, there was a provision in them that the extension of fishing jurisdiction, but not the actual territorial waters boundary, would be covered under the coastal waters heading. The South American nations which depended on a coastal waters policy had aimed at the extension of the actual territorial waters, but such an extension never reached international approval. Since 1948 the Icelanders have carried out their jurisdiction over the natural resources of the sea in compliance with the coastal waters laws. But in the new Law of the Sea agreements which were approved by 130 nations at the LOS conference of the United Nations in New York on Friday, April 30, the policy of coastal waters laws was confirmed by the international community. The foundation which was laid by the coastal waters laws of 1948 has received unequivocal approval in the international arena. Though this regulation was actually approved earlier in our Icelandic territorial waters battles, the results of the LOS conference are a confirmation of the legitimacy of our struggles, which concluded with the extension to 200 miles in October 1975 and the treaty with Britain in May 1976.

According to the LOS agreements, which have to be approved by 60 nations to become valid, we Icelanders have sovereign rights over the resources of the sea within a 200-mile economic jurisdiction; and we determine ourselves the permissible fishing quotas, how much of the amount fished we will utilize ourselves, and what will be done with the amount left over. This very provision was the basis of our negotiations with the British concerning their approval of the 200-mile jurisdiction, and on that basis we have utilized the Icelandic waters since that time. From the end of 1976, the catch of the Icelandic fishing fleet, and its value, has increased some 60 percent; which may, unfortunately, be all too small of an advance, now that times are getting rough.

It is too much for a small nation to expect that all of its doings should fall neatly under international laws or be in agreement with the development of such laws. Thus, when we consider the chief decisions of the Icelanders in matters of the Law of the Sea, we have cleared the way to some degree but we have always yielded to the common decision of the international community. We can certainly maintain that the various politicians and political parties in this country have all aimed at the same goals in these matters, the goals which were established by the coastal waters laws of 1948. On the other hand, there have sometimes been disagreements as to methods. For example, the Progressive Party and the People's Alliance expressed opposition in March of 1961 in the negotiations of the Improvement Committee with the British over the 12-mile dispute; they disagreed with the options concerning further extension of the fisheries jurisdiction around Iceland by appeal to the World Court in the Hague. This provision in the negotiations was in agreement with the opinion that small nations are the best check on international law and that we Icelanders did not need to fear the decision of the court--we could always take further steps within the provisions of international law. There is no reason for going into more detail here about these historical disagreements, but we might mention that behavior exhibited by Ludvik Josepsson, for instance, in the summer of 1973, when he said that it was not timely to maintain our demands for a 200-mile fishing limit, that it was seemly for us to wait for the conclusions of the LOS conference. That 9-year wait has certainly been dearly bought by us.

The territorial waters issue is no longer a matter of political argument in this country, and now it will be the task of historians to explain all the aspects of the issue. The most prominent international law experts in the world, with the trusty support of specialists and politicians, have finally achieved a united decision concerning the law of the sea, within the framework of the United Nations. At this very moment, the struggles for sovereignty over the Falkland Islands remind us that international agreements and high-flown matters on the United Nations agenda do not always have a real effect on events; but we do hope that the results of the LOS negotiations will be worthy of all the brains, efforts, meeting hours, and difficulties which led up to those results.

9584
CSO: 5200/2075

FIRST FREEZER TRAWLER JOINS ICELANDIC FLEET

Reykjavik ATLANTIC FISHING, NEWS FROM ICELAND SUPPLEMENT in English Jun 82 p 7

[Text]

Practically all residents of Skagaströnd, a village in the western North, were standing at the dockside one Wednesday recently when the Örvar (HU 21) berthed there for the first time. Rated at just under 500 tons, the freezer trawler, Iceland's first, was launched early last November at the Slippstödin yard in Akureyri, the largest town on the north coast.

After the local Lutheran pastor had addressed the crowd, the manager of the fishing company Skagstrendingur, Sveinn Ingólfsson, took possession of the newly built vessel from shipyard director Gunnar Ragnars. Several legislators from the region, two of them cabinet ministers, delivered speeches on the occasion. There seemed to be consensus that the June 17 (National Day) celebration in Skagaströnd this year might well turn out to be anticlimactic.

The Orvar joined another Skagaströnd trawler, the Arnar, which was acquired from Japan in 1973. Skippered by Gudjón E. Sigtryggsson ("Ebbi"), the new ship is manned by a crew of 24, not 16 as is normal for an Icelandic trawler of this size classification. Spokesmen for the operator say that it should be possible to handle about 25 tons of fish on board in a 24-hour period.

While the company was applauded for its unusual initiative in commissioning the building of a freezer trawler, Skagstrendingur actually had no other choice. To process the additional landings ashore, it would have been necessary to enlarge and modernize the local freezing plant, but official credit agencies stonewalled overtures to that end.

On the other hand, financing for the purchase of a new trawler could be arranged. The operator had no trouble raising the required 15%; another 75% came from the Fisheries Loan Fund and the remaining 10% from the Regional Development Fund.

Catches can be packed on board as either fillets or blocks, depending on market requirements. Sales of the Örvar's fully processed landings to the United Kingdom are envisaged.

The Örvar is 50.55 metres in length, with beam of 9.76 m and draught of 4.40 m. The main engine is a 2,400-horsepower Wickman unit, designed for running on fuel oil. The refrigeration plant on board can maintain a temperature of minus 30 centigrades in the vessel's 420-cubic-m hold.

CSO: 5200/2084

CAPELIN FISHING HALTED AS CONCERN OVER STOCKS CONTINUES

Reykjavik ATLANTIC FISHING, NEWS FROM ICELAND SUPPLEMENT in English Jun 82 pp 1-2

[Text]

Many of the 20-odd Icelandic fish reduction plants will probably remain largely idle until year's end or longer, due to the near-collapse of the capelin stock — a resource that seemed very ample until the end of the 1970s. In early 1981, the Marine Research Institute in Reykjavík provisionally recommended a 700,000-ton overall capelin quota, from waters surrounding Jan Mayen and Iceland, for the late-year and winter season.

By tradition, that figure was subject to a reappraisal following new echo-sounding expeditions off the Northwest and North, to be undertaken in late 1981 and soon after the beginning of 1982. As it turned out, Icelandic and Norwegian researchers concluded last October that the state of the capelin stock was alarmingly poor. The effort was halted after a time — when, according to marine biologists' estimates, the spawning generation amounted to only some 140,000 tons.

That is little more than one-third of what experts assume is neccessary to maintain a robust capelin stock. "We simply do not know exactly [the size of the adult population of capelin] that must be allowed to reproduce each year . . . In recent years, we have based our recommendations on a 400,000-ton figure. More accurate findings on this would require much longer time than we have been given thus far," said marine biologist Hjálmar Vilhjálmsson of the Marine Research Institue.

After the MRI aquired suitable equipment for the purpose in 1978, there have been regular expeditions twice a year to monitor the stock by means of echo sounding. This is done in October-November, when the capelin congregates in waters off the northwest and north coasts, and again in January-February, after the migration to the spawning grounds has started.

By the account of Vilhjálmsson, interpretation of echo readings is highly problematic at other times of the year, as the stock is then dispersed and ranging very close to the surface. Central to the picture is the notably short lifespan of the sardine-sized fish: three to four years.

Because capelin die following spawning, long-term predictions on this important pelagic stock are impossible. Early last November, a certain news story reported that, according to the estimate of marine biologists from a previous date, the quantity of adult capelin in waters surrounding Iceland would become a negative figure within days.

Icelandic capelin landings peaked in 1979 at some 968,000 tons. Early last year, Norway and Iceland agreed to set the TAC (total allowable catch) capelin quota provisionally at 700,000 tons, as marine biologists had advised. What was inferred from data collected in October — that just 150,000 tons of adult capelin existed in the region — caused dismay in fisheries circles here.

Experts in the employ of the Marine Research Institute said at that time that they had expected to come up with a far larger estimate, perhaps something like 600,000 tons. While many capelin fishermen maintained that a continued effort posed little or no risk to the stock, the season started to grind to a halt in early December, by order of Fisheries Minister Steingrímur Hermannsson (Progressive). He acted in the wake of a follow-up research expedition that took place in November.

For understandable reasons, the Marine Research Institute declined to submit provisional guidelines on capelin for the summer months — choosing instead to defer the recommendations until findings from the autumn surveys of the stock are on hand. At the time of this writing, the outlook was that no further Icelandic or Norwegian capelin operations would be authorized until next fall, though final decisions by the two governments were likely to await the results of fisheries talks involving the European Economic Community (EEC).

Capelin efforts by EEC fleets in waters off E-Greenland are a serious worry to Icelandic and Norwegian fisheries planners. But this country has few cards to play in negotiations with the EEC, due to the non-existence of any broad-base accord that could serve as a framework.

An Iceland-Norway agreement on ocean jurisdiction around Jan Mayen, an arctic island far northeast of this country, contains important provisions on exploltaton of the capelin stock. A TAC quota is to be set for each season (a period generally lasting from summer until spring), with 85% of the take earmarked for Iceland and the remaining 15% for Norway.

The situation regarding waters off Greenland, however, may change if the newly autonomous nation implements its decision to withdraw from the EEC. When Denmark entered the Common Market, Greenland's political status was that of a Danish province.

Iceland's output of fish meal, the overhelming bulk of which nowadays comes from the reduction of capelin, rose to 200,000 tons for the first time in 1978, and the following year to some 206,000 tons. The annual production of fish oil was around 100,000 tons in both 1978 and 1979.

The vital role of capelin for the Icelandic fish reduction industry is a comparatively recent development, brought on by the collapse of the herring stocks in the late 1960s. Between 1971 and 1979, the capelin landings more than quintupled.

CSO: 5200/2084

BRIEFS

COD SHORTFALL--The Icelandic cod landings through April, a period largely extending over the traditional winter fishing season, fell far short of the anticipated level. Compared with the first four months of 1981, total catches from this vital effort were down by almost 38,000 tons, according to a provisional report issued by the Fisheries Association. The same source also reported that overall landings were down by a huge margin from the 1981 April-end figure. Attributable largely to the ban on capelin operations, the shortfall was given as nearly 178,000 tons. Mounting pressures for relaxation of curbs on the cod effort were in evidence at the time of this writing. [Text] [Reykjavik ATLANTIC FISHING, NEWS FROM ICELAND SUPPLEMENT in English Jun 82 p 6]

CSO: 5200/2084

COUNCIL AUTHORIZED TO EXTEND TERRITORIAL WATERS

TA291540 Ankara Domestic Service in Turkish 1500 GMT 29 May 82

[Text] A law authorizing the Council of Ministers to extend Turkish territorial waters to more than 6 miles has gone into effect. According to the territorial waters law, which was published in the official gazette, the Council of Ministers will be able to extend territorial waters to more than 6 miles on the condition that it first considers all the related characteristics and conditions of the specific sea and that it conforms to the principle of equity.

The territorial waters between Turkey and other countries whose shorelines are adjacent to or opposite Turkey's will be determined through agreements; and while drawing up this agreement, the concerned countries will consider all the related characteristics and conditions of the region as well as the principles of equity.

The law stipulates that the width of the territorial waters will be measured from basic lines to be determined by the Council of Ministers. The law also redefines the principles concerning Turkey's internal seas. Under the law, the waters remaining between the basic lines as determined by the Council of Ministers and the Turkish shoreline and the bay waters will be considered Turkey's internal waters. The permanent port installations will be considered part of the shore and the waters between the farthest of these installations and the shore as well as outside ports will be considered internal waters.

Meanwhile, using the authority granted it by the territorial waters law, the Council of Ministers has decided to maintain the status quo concerning the width of the territorial waters in the Black Sea and the Mediterranean Sea. This decision was published in the second edition of the official gazette today.

Foreign Ministry Spokesman Nazmi Akiman said that with the new territorial waters law, Turkey now has a more modern and realistic law. Replying to questions by journalists on the question, Akiman recalled that Turkey's territorial waters policy was determined by the Law No 476 passed in 1964. He pointed out that this law lagged behind the international developments that have occured since that time, adding that the new law had been drawn up to meet today's requirements more effectively.

Akiman said: The most important change in the new law is the principle of equity which must be considered in the extension of territorial waters and the demarcation of the territorial waters between Turkey and its neighbors. As has been clearly observed in the decisions of international judicial organs, the principle of equity has become an important international legal principle regarding the law of the sea. The amendment made in the existing law reflects this development in international law. Furthermore, with the new law, Turkey's internal waters are being defined and the Council of Ministers is being authorized to extend territorial waters to more than 6 miles in places where the characteristics of the sea and the principle of equity allow it.

CSO: 5200/2086

'VOTCP' SCORES TERRITORIAL WATERS DECISION

TA010823 (Clandestine) Voice of Turkish Communist Party in Turkish to Europe and Turkey 0600 GMT 1 Jun 82

[Unattributed Commentary: "The Junta Is a Blackmail Tool in the Hands of the United States"]

[Excerpts] The junta government has been authorized to extend territorial waters beyond the existing 6 miles. [Words indistinct] The passage of the relevant law creates new opportunities for dangerous developments toward a hot war in the region. With this new law, the junta took into its hands a new weapon to increase tension. It showed that it approaches the Aegean continental shelf problem from a position of force and that it opts for the method of solving the Turkish-Greek conflict by the use of force.

The fact that the junta acquired such a tool for tension is in line with U.S. imperialism's plans regarding the Aegean. The Reagan administration wants to create satellites that will serve as slaves to its policy of aggression pursued against the socialist and the Arab-Islamic countries in the Aegan. From this viewpoint, the junta is the right stuff for the Pentagon.

The Aegean has been drawing the world's attention as a dangerous source of tension. Considering the dangerous regional situation, the Soviet Union delivered a note to the junta in April.

U.S. imperialism's policies of strengthening its military positions, expansion, gross interference in the domestic affairs of other peoples, its policies of oppression and blackmail, lie at the root of the danger. The junta -- which is trying to create the conditions of an authoritarian and oppressive regime by means of its policies of belt-tightening and of bloody terrorism -- has the job of carrying out U.S. imperialism's policies in the region.

Turkey is being turned not only into a firing range but into an aggressive base against our people and the Middle East. However, as we have stressed before, they shoot at those who set up bases, they fire upon those who fire upon others. Such a policy means disaster for Turkey. Are we going to allow the junta to drag our people and our country to that disaster?

CSO: 5200/2086 END

JPRS 81240

9 July 1982

Worldwide Report

LAW OF THE SEA

No. 202

FBIS FOREIGN BROADCAST INFORMATION SERVICE

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WORLDWIDE REPORT

LAW OF THE SEA

No. 202

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NEW ZEALAND RENEWS FISHING PACTS WITH ROK, USSR

Auckland THE NEW ZEALAND HERALD in English 19 May 82 p 5

[Text] Korean and Russian fishing boats can continue to fish New Zealand waters until at least 1984.

Agreements signed in 1978 have been renewed by the Minister of Foreign Affairs, Mr. Cooper, the Korean Ambassador, Mr Y. Hahn, and the Soviet charge d'affaires, Mr. V. Azaroushkin.

The original agreements, arrived at separately, gave the two countries access to New Zealand's 200-mile exclusive economic zone.

The agreements have been extended two years, to September 30, 1984, but otherwise remain unchanged.

Mr Cooper said in Wellington yesterday that the extensions confirmed the value of the agreements to both New Zealand and its foreign partners.

"The Government has deliberately limited the extension to two years because the fishing industry is going through a period of development and we want to keep our options open for accommodating its increasing needs," Mr Cooper said.

The Government is also expected to extend its fisheries agreement with Japan for a similar period under the existing arrangements.

The agreements cover only foreign licensed boats and not joint ventures.

The maintenance of the status quo will not please all the foreign fishing nations as some, Japan in particular, have expressed concern over the areas it has been allocated to fish and the fees and some technical terms.

Local joint venture companies looking to expend their activities at the expense of licensed boats, particularly for squid and southern bluefin tuna, may also find reason to complain.

CSO: 5200/9092

BRIEFS

JAPAN, USSR RESUME SUPERVISION OF SALMON FISHING--Kushiro, Hokkaido, June 12 KYODO--Three Japanese patrol boats left Kushiro Saturday with Soviet observers aboard for the first joint Soviet-Japanese supervision of salmon fishing in six years. Three Soviet Fisheries Ministry officials and three Soviet interpreters boarded the Japanese fishery agency ships to observe operations of medium-sized salmon fishing boats during this year's season in northern waters. Japanese patrol boats began carrying Soviet observers in 1962, but the practice was suspended in 1976. The joint supervision has been reviewed at the strong request of the Soviet Union following a recent rash of illegal operations by Japanese salmon fishers. [Text] [OW121225 Tokyo KYODO in English 1215 GMT 12 Jun 82]

CSO: 5200/2088

NEW ZEALAND, AUSTRALIA TO PROTECT BLUEFIN TUNA ASSET

Wellington THE EVENING POST in English 24 May 82 p 33

[Text] New Zealand and Australia have agreed to develop a joint management strategy for southern bluefin tuna, one of the most commercially valuable fish in the sea.

"They saw the need for and desirability of co-operating with us," said the assistant director-general of the Ministry of Agriculture and Fisheries, Mr John Belgrave, who has just returned from discussions with his Australian counterparts.

"We will be able to get down to specific details when the Australians have discussed the matter fully with their fishing companies."

A fisheries research division scientist, Mr David Gibson, described southern bluefin tuna as "potentially, New Zealand's most valuable fishery."

"The number of fish coming into New Zealand's exclusive economic zone depends on the number of small fish caught by the Australians, the number of large fish caught by the Japanese outside the zone, and the number of large fish caught by New Zealand's commercial fishermen," he said.

Southern bluefin tuna spawn in the Indian Ocean south of Java. They then undertake a three-year journey around the south coast of Australia before spreading through the South Pacific and South Atlantic oceans.

One-year-old and two-year-old fish are caught off Western Australia and three, four and five-year-olds off New South Wales. The Japanese catch the adult fish in both the Pacific and South Atlantic and off New Zealand's east coast, while local fishermen catch them off the west coast.

"In order to manage the resource, we need the three countries to agree on an international management strategy," Mr Gibson said.

Scientists are concerned that the combined catch figures for Australia and Japan show that the weight of the catch is declining while the number of fish caught is simultaneously increasing.

They estimate that this year's combined Australian and Japanese catch could reach 50,000 tonnes.

To maintain present spawning stock, a reduction to 28,000 tonnes is necessary.

The Australians doubled their catch to 20,000 tonnes last year. This year the catch is slightly greater. Japanese long-line vessels fishing in New Zealand waters report an average total catch of 5000 tonnes valued at $62 million annually.

The one-to-five-year-old fish caught for Australia's canning industry fetch 77c a kilogram and mature fish caught in New Zealand waters fetch $12 a kilogram. They sell on the Japanese market for between $3 and $30 a kilogram depending on the quality.

CSO: 5200/9093

NEW ZEALAND, JAPAN DISAGREEMENTS ON FISHING REVIEWED

Auckland THE NEW ZEALAND HERALD in English 18 May 82 p 6

[Text] *The New Zealand fisheries agreement with Japan on conditions of access to the New Zealand 200-mile zone expires next month. It is expected to be extended, although Japan may submit requests for improved access and less restricted operations within the zone.*

New Zealand, in its documents delivered to the Japanese Foreign Ministry on April 30, points out that Japan still inhibits New Zealand fish exports by a series of quota and tariff restrictions, not to mention non-tariff barriers.

***BRUCE ROSCOE** in Tokyo looks at some of the arguments on fishing which still divide New Zealand and Japan, four years after the 200-mile zone was declared.*

Japan's pelagic fishing industry is "on the skids with no signs of improvement in sight," says a recent report in Japan's major financial daily, the Nihon Keizai Shimbun.

And, according to industry representatives, Japanese fishing companies are indicating renewed, intense interest in catching larger volumes of several species from New Zealand waters.

Indonesia and Mauritania, Japan fears, are planning to shut Japanese vessels out of their respective zones altogether so that their own boats can sell more to Japan.

Four Japanese fishing companies, Taiyo, Kyokuyo, Nichiro Gyogyo and Hoko, already have suspended operations off Mauritania over discord on access fees.

On yet another troubled front, the Japanese Government this month filed protests with the United States against last month's cut from an expected 287,000-tonne catch quota to only 172,000 tonnes for the second 1982 allocation.

Contentious Problem

These and other factors — though the species sought vary from region to region — are focusing Japanese attention on New Zealand's 200-mile zone.

It has been four years since New Zealand closed its zone to Japanese fishing vessels in an effort to secure more access to the Japanese market for livestock and dairy produce.

Japanese boats soon afterwards were permitted re-entry in exchange for no obvious trade concessions though under severely limiting conditions — and still bones of contention grate.

The Japanese Government is expecting revisions to those conditions imposed by the New Zealand Government, as a result of joint fishery surveys recently carried out in New Zealand waters.

Results of the latest survey, conducted by the semi-governmental Japan Marine Fishery Resource Research Centre, were referred to the New Zealand Ministry of Agriculture and Fisheries earlier this month.

One persistent argument concerns mesh selection;

that is, the choice of net type. Japan is not permitted to use nets with mesh of less than 100 millimetres for fishing jack mackerel in the zone.

But nets with bigger mesh let the smaller mackerel, the only ones Japan finds of any real commercial value (for use in "tempura" or "aji furai" dishes), escape.

Depletion Of Stocks

In the survey held off the west coast of the North Island (area "H") last October and November, the Japanese research vessel Shinkai Maru investigated the net question and assessed the danger posed to other species by smaller nets.

The restriction is said to be intended to prevent depletion of stocks of young species, snapper in particular, of value to New Zealand fishermen.

Japanese researchers say the survey's findings, and also data from an earlier survey off the west coast of both islands (areas "H" and "G") on jack mackerel biomass, geographic distribution and size, prove New Zealand fears unfounded.

The trawlers fish for mackeral—and mackeral it is they haul up. The fishing is seasonal, they say, and other species are not significantly apparent in the mackerel schools.

Though the research format is mutually agreed, and New Zealand fisheries experts participate in the work on board, the New Zealand Government wishes to discourage further research of this nature, mainly out of the belief that local fishermen would regard any approval as a case of special treatment for Japan, since local boats also are not permitted use of fine nets.

But the data collected from these surveys, all made at the expense of the Japanese Government which has appropriated a yearly budget of about $1 million for the research, are distributed free to the New Zealand Government.

If few or no changes to the restrictions result from the research, by which Japan obviously will seek to demonstrate that species it wants more of are in plentiful supply, New Zealand could well risk gaining the reputation at Government level in Japan that it is simply using the Japanese Government to advantage by getting its fisheries research done free.

Research Done Without Cost

If New Zealand accepts the conclusions Japan draws from the research, should it dismantle the restrictions because such was, at least implicitly, the understanding reached between the two governments before Japan compiled the research budget?

Or should the matter be treated as one requiring more complex negotiation, concessions dependent on Japan lowering its considerable tariff and non-tariff barriers against fish New Zealand wishes to sell to Japan?

Fishery research experts at the marine centre contend that New Zealand fishery expertise has not yet reached the stage where persuasive arguments can be made for more sales of New Zealand-caught fish against the expansion of Japanese quotas for various species within the zone.

This contention, however, should be wearing thin in some cases.

Solander Fisheries of Nelson, for example, has purchased a tuna vessel from Japan, which transferred to the New Zealand flag last month.

It replaces the Taiwanese boat Solander chartered last year to work off the West Coast, and should be much better equipped to facilitate the lightning-quick, on-board processing and freezing of tuna needed to produce the quality demanded by Japanese buyers.

Quick-freeze Process

The centre says Japan has "plenty to complain about." It is shut out of four zone regions. For the less productive zones to which it does have access, its trawling catch quota last year was set at 66,000 tonnes, of which it managed to secure only 20,281 tonnes.

There are fewer complaints these day about squid, or tuna, though tuna fishing fees are still claimed to be excessive.

New Zealand, too, has "plenty to complain about." Fish import restrictions form a large section of the list of Japanese tariff and non-tariff barriers affecting New Zealand, which was presented in protest to the Japanese Government last month.

In particular, New Zealand is seeking expanded quotas for exports of yellowtail species, mackerel and squid or, as a free trading system would demand, no quotas at all.

It would be timely for the industries and politicians of both countries to come to the negotiating table and trade equal concessions. Next month the fisheries agreement, allowing Japan access to the zone, expires.

New Zealand's fish exports to Japan last year were worth $36.5 million cif, a 65 per cent increase over 1980 sales.

CSO: 5200/9093

GOVERNMENT IN TALKS WITH JAPAN, OTHERS ON BLUEFIN TUNA CATCH

Sydney THE SYDNEY MORNING HERALD in English 12 May 82 p 16

[Article by Richard Eckersley]

[Text] Life clearly isn't meant to be easy for the southern bluefin tuna.

In fact it has become an unrelenting battle to escape the net and hook, a battle the fish now looks like losing.

The southern bluefin tuna spawns in the Indian Ocean south of Java. The young fish migrate around the south coast of Australia, a three-year journey, before spreading through the South Pacific and South Atlantic oceans.

They first return to the spawning ground when they are seven years old and, as far as is known, go back there each year. They can live for 20 years, reaching a weight of more than 100 kg and a length of up to two metres.

The tuna is hunted and harried throughout its life.

"In general they are caught as one and two-year-olds off Western Australia, two and three-year-olds off South Australia and three, four and five-year-olds off NSW." a CSIRO researcher, Dr Garth Murphy, said.

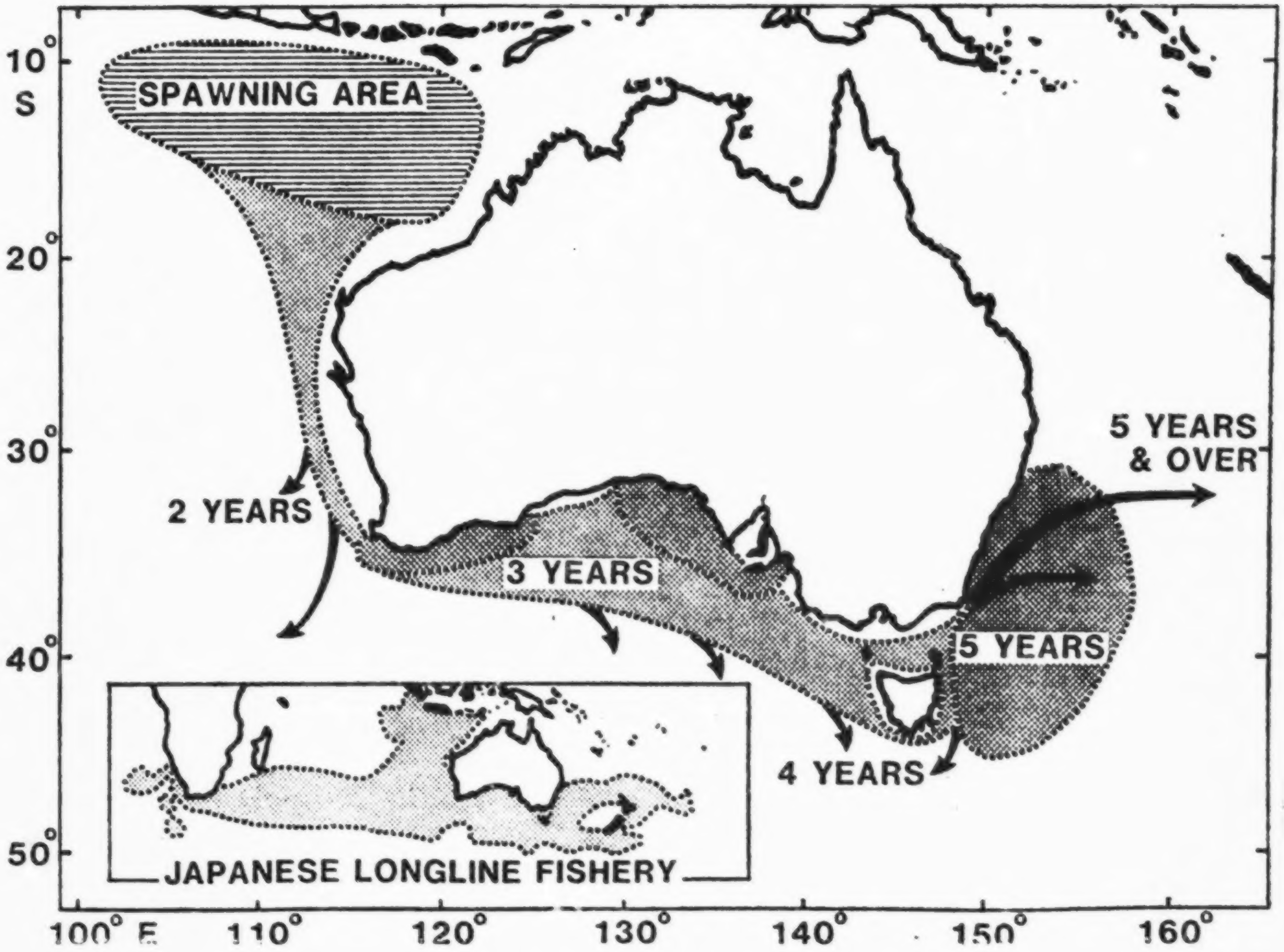
"Older fish are caught by the Japanese in waters away from the Australian coast."

Dr Murphy and Dr Jacek Majkowski, of the CSIRO's division of fisheries research, believe large catches are causing a continuous decline on spawning stock.

Unless this decline is arrested, there could be a catastrophic collapse of the southern bluefin tuna population in as little as five or six years, they say.

"Scientists are concerned that the combined catch figures for southern bluefin tuna for both Australia and Japan show that the weight of the catch is declining while the number of fish being caught is simultaneously increasing," Dr Murphy said.

This was symptomatic of a stock being continually reduced in size, he said.


SPAWNING AREA
2 YEARS
3 YEARS
4 YEARS
5 YEARS
5 YEARS & OVER
JAPANESE LONGLINE FISHERY
10° S
20°
30°
40°
50°
100° E
110°
120°
130°
140°
150°
160°

The spawning and migration pattern of the southern bluefin tuna.

The southern bluefin tuna is one of the mainstays of the Australian fishing industry. More than 20,000 tonnes of the fish, worth about $15 million have been taken by Australian boats this financial year.

"A collapse of that industry would have profound effects on the Australian fishing industry," Dr Murphy said.

The combined Australian and Japanese catch could reach 50,000 tonnes this year, he said. To maintain the present spawning stock, the scientists estimate that the combined catch should be reduced to about 28,000 tonnes.

Dr Murphy said a framework for international management of the fish was now being discussed by the governments of Australia, Japan and New Zealand. South Africa would also possibly be involved.

CSO: 5200/7542

BRIEFS

GAS DRILLING SUPPLY SHIP--Australian Offshore Services (AOS), part of the energy services division of P & O Australia Ltd, recently placed an order for a new anchor-handling supply vessel to be built by Australian Shipbuilding Industries (WA) Pty Ltd at Cockburn Sound, Western Australia. The 2650-tonne displacement ship will be the largest in the AOS fleet and the first built for the company in Western Australia. Delivery is scheduled for September 1982, after which the ship will join other units of the AOS fleet serving oil and gas projects in Bass Strait and off the West Australian coast. AOS was founded in 1968 and has ordered 14 ships in the same number of years from Australian shipyards. Traditionally, AOS ships are named after the wives of P & O Australia Ltd directors, and have the prefix Lady. The new vessel, due to be launched in late July, will be named Lady Elizabeth after Mrs Anne Elizabeth Blanckensee, wife of Mr Alan Blanckensee, a member of the board. The Lady Elizabeth's principal dimensions are: overall length, 66.30m, beam 14.15m, depth 5.65m. [Text] [Canberra THE AUSTRALIAN in English 13 May 82 p 23]

CSO: 5200/7542

TRAWLERS BOUGHT FROM UK HEAD FOR DEEP-SEA FISHING AREAS

Auckland NEW ZEALAND HERALD in English 17 May 82 p 5

[Text] **The Otago Buccaneer has sailed from Dunedin for deep sea trawling grounds and the first returns on a $15 million investment in the New Zealand fishing industry by Fletcher Fishing Ltd.**

The 85-metre trawler is heading for the deep water orange roughy grounds with 10 New Zealanders among the mainly British crew.

Fletcher Fishing's other deep sea trawler, the Otago Galliard, will also leave Dunedin this week.

The former Icelandic trawlers arrived in Dunedin last month after sailing from Britain where they were bought last year.

At the time the Government decision approving the vessels' importation and the willingness by Fletcher to pay full duty on the trawlers angered other sections of the fishing industry.

The Government was accused of favouritism towards Fletcher because of its decision to defer approval of other deep sea trawler applications.

Interest

The $15 million investment by Fletcher Fishing involves spending on the trawlers, shore processing and storage facilities. The company has estimated that its investment will generate a cash flow of between $15 million and $20 million in processed fish exports each year.

The venture attracted strong interest from New Zealanders wishing to crew the boats.

The managing director of Fletcher Fishing Ltd. Mr Eric Henry, said 200 applied for crew positions.

Following interviews in Dunedin 10 crewmen were selected for each trawler. They will join about 20 British crewmen on each trawler and undergo training.

The company hopes both trawlers will have full New Zealand crews within two years.

Mr Henry said New Zealand fishermen still had to prove themselves on the 85-metre vessels.

But he was confident the New Zealanders, who would have to spend up to two weeks at sea at a time, would soon master the skills needed.

The fishing industry generally regards New Zealand fishermen as comparable with any in the world and capable of tackling the rigours of deepwater fishing.

Another fishing company, Sanford Ltd. has re-equipped two of its trawlers, the San Hauraki and the San Manukau, at Auckland. Both have been undergoing sealtrials.

New winches and other deepsea gear have been put on the 30-metre boats to enable them to fish in deep water--a move the company was forced to make because of the Government's reluctance to approve further trawler imports.

The general manager of Sanford Ltd, Mr David Anderson, said that despite their small size the trawlers were capable of working in rugged conditions.

CSO: 5200/9094

TERRITORIAL WATERS,OTHER PROBLEMS PLAGUE FISHING INDUSTRY

Territorial Waters Problems

Bangkok SIAM RAT in Thai 20 Apr 82 p 7

[Thoughts From the News column by Prachuap: "Problems of the Fishermen"]

[Text] Recently, stories about several problems of the fishermen have appeared in the newspapers.Even though the fishermen are not in the majority in the country as are the farmers, there are still large numbers of people in this profession. And this occupation plays an important role in the economic affairs of the people and country in general. This is because, besides the fact that fishing products provide moderately priced food for consumption in the present living conditions of the people, these are export products that earn an income for the country that almost equals that earned by agricultural products.

Thus, concerning the problems of the fishermen, it can be said that these are important problems that must be given attention. The government should consider them to be problems that must be solved quickly before things are too late.

Concerning the problems of the fishermen, from what has appeared in the news recently, there are three major problems:

First, there is the matter of safety in earning a living in this profession. In some provinces, the fishermen do not dare go out fishing because pirates are waiting to rob and kill them, especially in the southern provinces. Besides this, when they go fishing in international waters, they are robbed or captured by foreign pirates, both military and nonmilitary, who charge that they have illegally entered and fished in their territorial waters.

Second, there is the problem of a shortage of fishing grounds. This is because Thai fishing activities have made great strides forward. It is thought that [Thailand] is seventh in the world in the amount of fish caught. And it is first in Asia. The fishing products exported by Thailand are very popular on world markets.

Third is the problem of low prices for duck fish, or small fish, that are used to make fish meal to supply the plants that produce animal food. The low prices have caused great problems for the fishermen since they cannot recover their investments, or cover the costs. Normally, more than 60 percent of the ocean fish caught by the fishermen are small fish, or duck fish as they are called since they used to be used to raise ducks.

Concerning the problem of the fishermen's safety and security, from pirates, that has arisen in Thailand's territorial waters, it is my understanding that this problem exists only in certain provinces. I am sure that if government officials take a genuine interest in this matter, it will not be difficult to suppress [the pirates]. This type of crime must be committed at sea, or boats must be used as the means of transportation. Thus, it is not easy for people to be pirates. The fact that government officials have not been able to suppress them has thus easily given rise to a misunderstanding. For example, people feel that officials have ignored this and are not interested. Or it is believed that there is not enough manpower or equipment to suppress them or that officials are involved or have secret interests in the activities of the pirates.

As for the lack of safety of the fishermen who fish in interational waters, this problem has arisen mainly because officials of neighboring countries have arrested them on charges of violating the country's territorial waters. That is, they have been charged with fishing in the territorial waters of these countries. It seems that there is still disagreement over the facts and that no final agreement can be reached.

The first problem is the difficulty of delimiting definite territorial waters for each country. This is because, in the ocean, no clear markers can be erected to delimit the zone as can be done on land. The opportunity to violate the territorial waters of others arises frequently. Thus, it is not always correct to assume that the fishermen have intentionally gone to fish in the territorial waters of these neighboring countries.

Besides this, the behavior and actions of the officials of these countries are involved too. That is, the government officials in the countries that are neighbors of Thailand often have one thing in common with Thai officials and that is that their incomes are low. This has caused them to be dishonest in perfomring their duties. They must try to earn a supplementary income in other ways. Two easy ways are to use their power when they cannot obtain the profits they have asked for and to stop performing their duties when they gain personal benefits in return for doing so.

The Thai fishermen have probably studied this situation well. That is, they know that the officials of some neighboring countries like to make personal profits, or that a "drop of oil" must be applied to facilitate things. But later on, they may have been asked for greater sums than in the original agreement and therefore been unwilling to pay. Or the Thai fishermen may have felt that they were being asked to pay too much and so a dispute arose and they were arrested by the officials of neighboring countries on charges of fishing in the territorial waters of these countries. Many Thai fishermen are well aware of what is happening. In some cases, Thai fishing boats have been seized while fishing in international waters. Weapons have been used to force the fishing boats into the territorial waters of that country. And in some cases, these [foreign officials] have acted like pirates. They have used warships to intercept the fishing boats and then robbed the fishermen when the boats have been full of fish. They then return home. This has happened in the Andaman Sea. This is the reason that the government has had to send naval warships out to patrol the area, which has made things safer for the fishermen.

However, ever since the government announced that it had approved the expansion of the special economic zone, or territorial waters zone, to 200 miles, the matter of fishing boats being charged with having infringed on the territorial waters of neighboring countries has arisen more frequently and more Thai fishing boats have been seized. Thai fishermen feel that they are being harassed and they question the way the government is handling this matter.

This is because, in solving this problem, Thai officials consider only what is convenient for them and they have shoved aside the various problems instead of considering the troubles of the fishermen and the common interests of the nation. For example, when a fishing boat is seized by the officials of a neighboring country, they claim that it was seized because it was secretely smuggling goods or that it had been hired to smuggle people into the country. I believe that this is probably true in some cases. But probably very few fishing boats engage in such activities since those who really work as fishermen would not want to take such a risk.

Concerning using the fact that a few fishing boats have been used to smuggle goods to make such claims or believing that all fishing boats are engaged in such activities, I do not feel that this is right. This is like saying that since there are a few corrupt officials, all government officials are corrupt. This is not right.

Besides this, there have also been reports that preparations are being made to revise the law in order to impose harsh penalities on fishing boats that fish in the territorial waters of neighboring countries. There has been a report that a law will be enacted to reduce the number of fishing boats so that they do not have to compete so hard for fishing grounds that they fish in the territorial waters of neighboring countries and encounter danger. I have listened to this and feel very sad about how the various government units in Thailand are attempting to solve this problem. Mostly, they are trying to solve the problem by placing all the blame on the fishermen without the government officials having to take any responsibility at all. They are just looking for a way to improve their own standard of living and increase their own incomes from the taxes paid by the fishermen. This method of solving problems is becoming popular in government circles in general. This is a very alarming situation.

Concerning the matter of the 200-mile special economic zone, Mr Praphan Manirot, a fisherman, has doubts about the claim by the minister of agriculture and cooperatives, who claimed that Thai fishing boats that had gone to fish in international waters had been fired on and seized by Vietnam and Kampuchea because they had violated the territorial waters of these countries. He asked whether there couldn't be some clarification about how far out into international waters Thailand's 200-mile economic zone extends and about how binding this is on other countries.

He also expressed surprise that, at present, Thailand does not seem to be defending its economic sea zone as strictly as other countries. Malaysia, Kampuchea and Burma have many ships out on patrol but he has not seen many Thai ships. Thus, he is not sure how much the announcement of the 200-mile economic zone has benefited Thailand, and he would like to ask the government to issue a map that would inform the fishermen and people in general.

Actually, having 200-mile economic zones was the idea of small countries that are located on the sea but that do not have enough ships to protect or preserve their natural ocean resources. They thus wanted to preserve the coastal zones in order to preserve these natural resources and keep other countries from trespassing in these zones. But, by chance, the coastal zones of each country are different. If the country has a gulf, like Thailand, the 200-mile zone overlaps with the territorial waters of a neighboring country. Thus, there must be international negotiations in order to reach an agreement on using the 200-mile economic zone jointly. Kampuchea cannot be allowed to claim the 200-mile zone for itself alone.

Concerning the fact that Thai fishing boats, which have been fishing in Thailand's 200-mile zone, have been charged by Kampuchea with infringing on Kampuchea's economic waters and that Thai officials have conceded that Thai fishing boats have entered the 200-mile zone of a neighboring country even though this is Thailand's 200-mile zone too, I do not feel that this is correct. The government must bear responsibility for our being placed at a disadvantage. When someone announces a 200-mile economic zone, it cannot just allow them to do this without considering the problems that may arise and without making preparations to solve them. But when a problem does arise, instead of the minister who is responsible for making decisions concerning 200-mile economic zones taking responsibility for the losses or troubles of the fishermen, he has considered solving the problem by reducing the number of fishing boats so that they will not have to compete for fishing grouds. He has done this instead of trying to secure wider fishing grounds or promulgating a law to punish fishing boats that have been charged with violating the territorial waters of a foreign country and instead of sending warships out to patrol the area to keep Thai fishing boats from being harassed by foreign countries or from infringing on the territorial waters of other countries.

I have constantly watched the way the government has tried to solve the fishing problem. I feel irritated because, someday, Thai fishing boats may be forbidden from fishing in international waters or a law may be promulgated forbidding Thais from earning a living as fishermen.

Clandestine Dealings With SRV

Bangkok PHYA KHRUT in Thai 12 May 82 pp 3, 12

[Political Secrets column by "6 October"]

[Text] Fishermen are going bankrupt! In Thailand today, wherever you look, people are praying for a better life.

This is a sign of poverty from which there is almost no escape. More and more people in various professions are going bankrupt. They have had to change professions because they were so poor.

The fishing profession is a profession that is now beginning to have many serious problems. "Approximately 20-30 percent of the fishermen have already gone bankrupt and people are leving the profession in droves because of their large debts," said a news source in the Fishing Association of Thailand to PHYA KHRUT yesterday.

"They are living like debtors, that is, they do not know what to do," said the same news source, adding that the banks and private individuals have asked them to pay their debts but the fishermen are not making any profits.

The thing that greatly affected the fishermen was the rise in the price of gasoline in 1980. Since them, many fishermen have had to give up fishing since gasoline prices were just too high for them.

Those who can put up with these prices are the wealthy fishermen with large boats who can catch large quantities of fish and who have enough money to operate their boats.

Another thing that has affected fishermen is that the price of "duck fish" and fish meal is unstable and it is not high enough to cover expenses. The price of fish meal is set by the factories that produce animal food.

The reason why fish meal has been so disastrous for the fishermen is that, normally, 50-60 percent of the fish that are caught are fish that are used to produce animal food.

Actually, the fishermen have continually carried on a movement for fish price supports. And they have asked the government for special rights in purchasing gasoline. But they have achieved few results.

Thus they have had to be patient and carry on their work as if "waiting for death."

Besides this, another serious problem is that the quantity of fish in Thai territorial waters has decreased and so fishermen have frequently had to infringe on the territorial waters of other countries, with the result that boats have frequently been seized.

Commander Sawang Charoenphon, the director-general of the Department of Fisheries, stated that Thai fishing boats have been seized by all our neighboring countries. No progress has been made in the negotiations with India concerning India's seizure of six Thai boats.

The reason why more and more boats are being seized is that the declaration of 200-mile zones by each country has resulted in countries frequently claiming that their territorial waters have been violated.

And talking about the efficiency of Thai fishermen, or Thai fishing boats, other countries are not as efficient and so our fishermen frequently infringe on their territorial waters.

And the reports that fishermen are paying bribes to other countries such as Vietnam by taking war materials to them in exchange for the right to fish are certainly believable since otherwise they could not obtain fish to sell.

In investing in fishing, large sums must be invested, just as in industry, in which millions of baht must be invested. The money that is invested is borrowed money and so when problems arise on all fronts like this, large numbers of fishermen go bankrupt.

There is still no hope of the government being able to solve the problems. For example, the program to raise fry along the coast and similar programs have not expanded as they should have.

The budget of the Department of Fisheries is too small, amounting to only a few million baht each year.

The government is very strange. Hundreds of millions of baht are invested in programs to help make things more convenient for the wealthy people, such as building roads and bridges (which the vehicles of the poor people cannot use). But it takes a very long time to approve programs that would help provide jobs for the poor people and help improve their lives.

I just hope that the politicians do not wait so long that the people have only one choice left.

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EAST BLOC LAW OF SEA SYMPOSIUM ADOPTS APPEAL

PM151425 Moscow IZVESTIYA in Russian 13 Jun 82 Morning Edition p 5

[A. Cherepanov report: "End of Meeting"]

[Text] The ninth general meeting of the Soviet Law of the Sea Association and international symposium on the Law of the Sea, being held in Moscow in conjunction with the oceanographic committee of the Soviet Union, has ended. Taking part in the meeting were well-known Soviet academicians and lawyers, personnel from a number of ministries and departments and specialists in the sphere of the international Law of the Sea from Hungary, the GDR, Bulgaria, Poland, Romania and the CSSR. In the unanimous opinion of the participants, the ninth general meeting was a further contribution to the elaboration of problems of the present-day Law of the Sea.

In view of the mounting tension in the international situation and guided by the peace initiatives put forward by L.I. Brezhnev at the 26th CPSU Congress and aimed at reaching agreement on "lowering the military presence in various regions of the world ocean" and also by the proposal he put forward at the 17th Soviet Trade Union Congress regarding the extension of "confidence-building measures to the seas and oceans, especially those regions through which the busiest sea routes run," the meeting participants adopted a statement entitled "For Peace and Security on the Seas and Oceans."

The statement says, in particular, that the participants in the ninth general meeting of the Soviet Law of the Sea Association resolutely support these peace initiatives and call "on everyone who is associated in any way through their activity with the study and utilization of the world ocean to do everything necessary to ensure peace and security on the seas and oceans and thereby to make a constructive contribution to the common cause of the struggle for world peace."

CSO: 5200/2088

GOVERNMENT TO CONDUCT SCIENTIFIC RESEARCH OF MARINE RESOURCES

Dar es Salaam DAILY NEWS in English 10 Jun 82 p 1

[Article by Daniel Mshana]

[Excerpt] The Government intends to undertake an intensive scientific research of marine resources in the country's coastal waters beginning next week.

The Director of Fisheries in the Ministry of Natural Resources and Tourism, Ndugu G.K. Libaba, said this in Dar es Salaam yesterday.

He said a Norwegian-built vessel "Dr. Fridjof Nansen" would anchor at the Dar es Salaam port today ready to explore the country's marine resources.

The decision followed the increasing need to know precisely the abundance of the country's fishery resources, their seasonal concentration and immigration pattern.

He said the government had been much concerned with the present tendency by fishermen to fish haphazardly, unaware that fish, like animals, migrate from one area to another in search of food.

"The research will not only facilitate the identification by our fishermen of various areas where fish abundantly breed, but the whole exercise is also aimed to identifying areas with rare marine species so that they can be protected", Ndugu Libaba said.

He said the Norwegian Agency for Development Cooperation (Norad) agreed to despatch an exploratory vessel to map out resources on biomass concentrations and physical/chemical oceanographic parameters.

He said that each cruise to take four weeks, would be in three phases during periods of South-East Monsoon beginning this month. Other cruises would be in October and in December.

Ndugu Libaba said the vessel had a crew of 13 scientists led by Captain R. Vindenes. "Some students from Mbegani Fisheries Development centre in Bagamoyo will be attached to the ship to learn various things as part of their field work. Four marine biologists from the University of Dar es Salaam, the Marine Science Institute in Zanzibar and the Tanzania Fisheries Research Institute, will also be involved", he explained.

CSO: 5200/5665

U.S. STANCE ON LOS CRITICIZED IN SOVIET PRESS

Reagan Demands Changes in Convention

Moscow IZVESTIYA in Russian 30 Mar 82 p 5

[Article: "'Law' as Washington Sees It"]

[Text] Open disregard of the opinion of most states--this is the position occupied by the American delegation to the 11th Session of the Third UN Conference on the Law of the Sea, presently convened in New York.

As we know, for the last 10 years the absolute majority of the more than 150 countries participating in the conference moved step by step, in a display of good will, toward achievement of mutually acceptable agreements, ones which were expressed in the draft convention on the law of the sea that was presented to the present session. The USA is doing everything it can to torpedo the work of the conference.

Thus President R. Reagan himself declared even before the 11th Session convened that all items which are in conflict with the American principles of free enterprise--that is, the principles of totally unconcealed imperialist plunder of the riches of the World Ocean--had to be removed from the document which has already been prepared and coordinated upon within the UN. But there is more. The American delegation presented 43 pages of demands which fundamentally alter the interpretation of most of the clauses contained in the draft convention. And inasmuch as Washington's demands are encountering resistance, the English newspaper FINANCIAL TIMES reports, the USA and a number of its allies intend to conclude a separate treaty among themselves for monopolistic development of the natural resources of the ocean floor.

Most participants of the UN Conference on the Law of the Sea validly interpret the claims of the White House as a threat to the sovereign rights of independent states and as a return to colonial orders that have faded into the distant past.

LOS Conference Rejects Proposed Changes

Moscow IZVESTIYA in Russian 1 Apr 82 p 4

[Article: "Proposals Rebuffed"]

[Text] Relying on its powerful navy and on its technical advantage over many countries, the USA intends to be the first to get its hands on the treasurehouse of minerals hidden in the ocean floor. It is with this goal in mind that official representatives of Washington are structuring their obstructive tactics in the excessively drawn out UN negotiations to develop an international treaty on the law of sea.

A draft convention satisfying the interests of the overwhelming majority of the planet's countries was prepared after many years of effort by member states of the Permanent UN Conference on the Law of the Sea. The participants of the present session of the conference on the law of the sea demand approval of the draft convention as an entire package--that is, they demand approval of the fundamental articles of the treaty. As has been demonstrated in the statements made by representatives of many countries participating in the conference, the actions of the USA are aimed at fundamentally scrapping the articles of the convention concerned with deep sea mineral extraction. Washington and a small group of its followers are working for unilateral advantages for their monopolies. They have absolutely no sense of reality, they cannot understand that the time of unrestricted dictatorship has faded irreversibly into the past. The overwhelming majority of the participants of the present session of the conference on the law of the sea, convened at the UN, made this clear to the presumptuous pretenders of the riches of the sea bed. The present session rejected all of the USA's attempts to amend, in behalf of its monopolies, already agreed-upon draft document regulating the rules of utilizing the World Ocean. The session's participants totally refused to examine the subversive American proposals. This is not the first time Washington and its accomplices have found themselves standing alone in the solution of the most important international problems.

U.S. Holds Out for Unilateral Advantages

Moscow PRAVDA in Russian 3 Apr 82 p 5

[Article: "The USA's Self-Interested Claims"]

[Text] The USA is attempting to drag out the UN Conference on the Law of the Sea, which has already made a decision to finish writing, during the present session, an international convention which will establish, for the first time in history, the general norms and rules of using the resources of the World Ocean in behalf of all mankind.

In the back rooms of the conference, the American representatives are intensively "working over" the delegations from the other countries these days with the purpose of forcing them to reenter negotiations in the course of which the USA's self-interested demands could be satisfied at the expense of the interests of other countries.

Speaking at the plenary session, G. Malone, the head of the American delegation, once again repeated demands that have already been rejected by the conference as totally inacceptable, as dismantling the entire package of agreements arrived at by more than 150 countries.

Work went on for about 8 years on the draft convention. The result of this work was a carefully balanced document consisting of more than 300 articles.

The following incident is typical of the imperial position occupied by the USA at the session: The newspaper NEW YORK TIMES published an editorial in which the opinion was stated that the USA will waive some of its objections to the draft convention and that a compromise will be achieved. This proposal from the American newspaper was met by a hostile reception from the American delegation. It immediately made an arrogant statement emphasizing that "in the next few weeks all countries must apply an enormous effort to make the United States agree to support and sign the draft convention."

Responding to this big power declaration, A. Prandler, the chief of the Hungarian delegation said that the sincere effort to come closer to the position of the overwhelming majority of the member states of the conference must be made not by "all countries" but by the United States. As with the delegations from other countries, the Hungarian delegation has no intention of yielding to Washington's attempt to achieve unilateral advantages for itself.

At the conference, the USA's position is enjoying support--though far from unquestioning--only from four countries: England, France, the FRG and Japan. The rest of the states, irrespective of their political orientation, decisively reject Washington's blackmail.

S. P. Kozyrev, the chief of the USSR delegation, noted that the absolute majority of the states have voted in favor of the convention's adoption at the present session on the basis of the existing draft. The U.S. delegation is opposing this position with an obstructionist line.

In our opinion, the USSR representative continued, all of the prerequisites for adopting the convention have been fulfilled at the conference. The USSR delegation expresses the hope that the USA and some of its allies will put an end to their attempts to obtain unilateral benefits and privileges at the expense of the interests of other countries and nations. Only a convention based on the principle of full sovereign equality of all of its participants would satisfy the interests of equitable cooperation among states, the interests of peace and international security.

U.S. Pursues Marine Arms Race

Moscow SOVETSKAYA ROSSIYA in Russian 21 Apr 82 p 3

[Article by Aleksandr Mozgovoy: "Who Is Muddying Up the Waters of the Ocean?"]

[Text] The board of directors of the American multisector Tenneco Corporation recently announced that it will lay off 5,000 workers. The company's bosses gave "financial difficulties" as the excuse for their decision. This same corporation took out a one-page advertisement in the newspapers. The headline declared in large letters: "Mr President, we've started!" What were they talking about? A nuclear aircraft carrier and atomic submarine were lowered simultaneously from Tenneco's building dock and handed over to the U.S. Navy. It was in this way that the firm's executives decided to gain the gratitude of the White House which is spiraling the race in marine arms upward.

Production is closing down in civilian sectors and laborers are being thrown into the streets in the United States with the blessing of the present Republican administration, while concurrently the bank accounts of the businessmen of death are growing. The Pentagon's ship building program will mean a golden rain of profits for the bosses of Tenneco and similar corporations: $100 billion will be spent in the next few years to acquire 150 warships.

Some people in Washington intend to transform the entire World Ocean into an "American lake." The latest conception of "one giant war" is foreseen as a means for achieving this goal. Its authors are Pentagon chief C. Weinberger and Secretary of the Navy J. Lehman. The latter has declared the era of the "great American fleet which will be able to operate without any problems simultaneously in different regions of the world--in the Far and Near East, in the Persian Gulf and the Indian Ocean, in the North and South Atlantic, in the Mediterranean and Caribbean seas, in the Eastern Pacific and on the marine oil transportation routes about Africa."

The adventuristic nature of such plans is obvious. Of course, the United States will not be able to frighten the USSR and its allies with its growing militaristic preparations in the oceans. As was emphasized many times by the Soviet government, the socialist countries possess the necessary potentials to foil the plans of imperialism aimed at achieving military superiority. At the same time we cannot close our eyes to the serious consequences of the race in marine arms. After all, it is threatening the security of the peoples of all continents.

Atomic submarines outfitted with strategic missiles patrol vast regions of the ocean. The Soviet Union has indicated the need for correcting this situation many times. During the 32d Session of the UN General Assembly the USSR made an appeal to begin negotiations with the purpose of reaching agreement on barring nuclear missiles ships from certain regions of the World Ocean and on other possible measures for limiting the nuclear arms race there. In 1978 our country turned to the USA with a proposal to remove, from the Mediterranean Sea, Soviet and American ships and submarines carrying nuclear weapons.

Alas, these initiatives were not met with any understanding in Washington. Moreover the United States is intending to significantly increase the "sphere of activities" of its strategic naval forces. The Pentagon is not hiding its plans, in particular, for deploying its latest "Ohio" class atomic submarines, each armed with 24 Trident missiles, in the Indian Ocean and the South Pacific. That is, South and Southeast Asia as well as Australia and New Zealand will essentially be transformed into nuclear hostages of the USA.

Prevent atomic catastrophe, including one originating from the oceans: This is the noble goal the Soviet Union has posed to itself. In his speech to the 17th Congress of Trade Unions, Comrade L. I. Brezhnev proposed mutually limiting the activities of the NATO and Warsaw Pact navies. "In particular, we felt that it might be possible to bar the missile submarines of both sides from the vast regions presently subjected to combat patrol, to limit their cruising to within mutually agreed upon boundaries," he declared. Acceptance of this proposal would have reduced the "threshold of mistrust" between the East and West, and it would have been a major step on the road to disarmament and to consolidation of peace.

But unfortunately the U.S administration rejected the Soviet initiative. In the words of a White House representative, it supposedly "fully satisfies only the mercenary interests of the Russians." The obvious question is: What is "mercenary" about this? After all, the limitations must apply equally to submarines of the USSR Navy as well. The restraint our country is calling for satisfies the interests of the security of the American people as well. Obviously Washington is even prepared to sacrifice these interests in support of the plans of the militarists. And their ambitions truly know no bounds.

Expansion in all directions: This is the essence of the Pentagon's ocean strategy. The flywheel of military preparations is turning at top speed. Naval maneuvers barely manage to come to an end before others are begun. Just in the Caribbean basin alone the USA and its allies conducted seven exercises since October of last year! They involved hundreds of ships and airplanes, and many thousands of seamen and officers. "We can quickly organize a blockade of the Caribbean Sea, even though this step would be an act of war," is what American Secretary of the Navy J. Lehman boasts in hegemonistic passion. It would not be difficult to surmise what he is talking about--organizing aggression against Cuba and Nicaragua. That same Lehmanis also posing a threat to Libya with his intentions of sending a squadron of the U.S. Sixth Fleet into the Gulf of Sidra. Last year such maneuvers led to armed confrontation, which almost turned into a serious crisis in the Mediterranean Sea. But the Pentagon has decided to repeat this provocation.

On the initiative of Sri Lanka, back in 1971 the UN General Assembly adopted a declaration making the Indian Ocean a zone of peace. In order to achieve the fastest possible implementation of such an important decision, the Soviet Union initiated negotiations with the United States on limiting and subsequently reducing military activities in this region. But the USA broke the dialog unilaterally. Washington also broke up preparations for an international conference on the Indian Ocean in 1981, and it is doing everything it can to keep such a forum from convening in the future.

The Pentagon is engaging in subversive activities with the purpose of discrediting Sri Lanka. Everything appeared innocent at first glance. The New York-based Ridaco International Company proposed, to the government of this island state, construction of an oil storage site at Sri Lanka's port of Trincomalee. What for? To refuel ships of the U.S. Seventh Fleet. The plan is simple: Were Colombo to give its consent to creation of an American base, Sri Lanka's authority as the initiator of the declaration on the zone of peace would be undermined.

The Soviet Union's position in relation to the Indian Ocean is well known. The USSR is prepared to continue negotiations at any time with the USA on limiting military activities in this region. Our country envisions no obstacles before itself to extending similar measures to the Pacific Ocean.

But turning the facts upside down, Washington's propaganda machine is attempting to show that our country is the main source of "threats" in the oceans. What can we say? The Pentagon has always said the same thing as an excuse for its own malicious preparations. Meanwhile the USA's imperial pretentions are perpetually visible through this thin disguise. To persuade oneself of this, it would be sufficient to look at the proceedings of the 11th UN Session on the Law of the Sea in New York.

The American delegation is once again attempting to scuttle the previously agreed upon text of the convention with the goal of preventing just international control over extraction of resources from the sea bed. The unprecedented growth of the American navy can be explained in great part by Uncle Sam's aspiration to establish police control over ocean regions rich in valuable raw materials.

Now the attention of international society is riveted on the South Atlantic. Steering away from a peaceful solution to the Falklands problem, London sent a squadron of 40 warships to the islands and declared the region of the archipelago a "war zone." It is premature to predict the future course of events at the moment, but one thing is clear: NATO has decided to capitalize on the crisis by spiraling the arms race at sea upward one more turn.

These militaristic intrigues on the oceanic lines of communication are leading to tragic consequences even in peacetime. In spring of last year the American atomic submarine "George Washington" collided with the Japanese vessel "Nissio-Maru" and sank it. Almost the entire crew perished. While flying over the Mediterranean Sea, a DC-9 airliner belonging to Italy's ATI veered away from a missile launched by one of the ships of the U.S. Sixth Fleet at the very last moment. In March of this year the American submarine "Jacksonville" rammed a Turkish steamship. Luckily the damaged vessel was able to reach a nearby port. The list of such disasters and accidents can be lengthened further. A special commission of the U.S. House of Representatives revealed that almost a fourth of the personnel of the U.S. Navy use hard drugs regularly. And imagine, these potion-befuddled people are standing watch at the helms of ships and the control consoles of weapons!

Considering the continually growing danger of the race in marine arms and of the military activities on ocean lines of communication, the Soviet Union is lobbying for their fastest possible elimination. "We would also be prepared to discuss the issue of extending measures of trust to the seas and oceans, especially to those regions through which the busiest marine routes pass," emphasized Leonid Il'ich Brezhnev in his speech to the 17th Congress of Trade Unions. "In a word, we are in favor of making the largest possible part of the World Ocean a zone of peace in the immediate future." This proposal is supported by all to whom peace on the planet is precious.

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OFFICIAL SAYS IMPERIALISTS IGNORE SEA LAW

LD180944 Moscow TASS in English 0845 GMT 18 Jun 82

["Flouting the Law of the Sea" -- TASS headline; quotation marks as received]

[Text] Moscow June 18 TASS -- "Fruitful international cooperation in using the world ocean is inconceivable without observing the principles of peaceful coexistence and pursuing a policy of detente and ensuring international security", A. Kolodkin, doctor of science (jurisprudence), chairman of the Soviet Association on the Law of the Sea and vice-president of the International Maritime Committee, said in an interview with the newspaper SOVETSKAYA ROSSIYA. As is known, vast expanses on the high seas do not come under the sovereignty and control of states. The United States and its allies are trying to use this fact for militarising the oceans and for the ruthless exploitation of the resources of the seabed by monopolies. Therefore it is necessary to take measures that would raise a barrier to the aggressive aspirations of imperialism." They in the West often and loudly talk of international law and the need for observing it. But in practice international law, including the Law of the Sea, is violated or ignored by imperialist states," A. Kolodkin stressed.

We all witnessed the Anglo-Argentine conflict over the Falkland (Malvinas) Islands, Kolodkin said. London resorted to the colonialist methods of "gunboat policy" and declared the zone around the archipelago as well as vast expanses in the South Atlantic closed to the ships and planes of other countries. Such actions contradict the 1958 convention on open sea and the generally recognized principle of the freedom of navigation. Britain's blockade of the South Atlantic caused considerable damage to international commercial and economic links. Because of the danger of being drowned, scores of tankers, dry-cargo ships and fishing vessels have to stay at ports. "This throw-back to colonialism in the South Atlantic is to be explained by the desire of London and Washington to secure for themselves strong military-strategic positions in an area of the ocean with important sea lanes," A. Kolodkin said.

CSO: 5200/2088

BRIEFS

OIL POLLUTION REMEDIES--PM71525 [Editorial Report] Moscow SOVETSKAYA ROSSIYA in Russian on 23 May carries on page 6 a 900-word V. Tsybulskiy interview entitled "Helping the Ocean" with Candidate of Technical Sciences M.P. Nesterova, chief of the [presumably Moscow P.P. Shirshov] Oceanology Institute Analytical Laboratory, on methods and materials currently used or being developed in the Soviet Union to combat the problem of oil pollution at sea. Among those outlined are a specially-treated perlite which absorbs 20 times its own weight in oil spillage, a pollution-free method of cleaning out tankers using an emulsion, oil-consuming bacteria, liquid polyurethane to contain oil slicks, and dispersants. The interviewee points out that "all the materials developed in the analytical laboratory have been tested in natural conditions--in the Baltic and Black Seas. They have been proved harmless to living organisms."

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END

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16 July 1982

Worldwide Report

LAW OF THE SEA

No. 203

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KOREAN FISHERIES BODY WARNS JAPAN ON FISHING AGREEMENT

SK250036 Pyongyang KCNA in English 2232 GMT 24 Jun 82

[Text] Pyongyang, June 25 (KCNA) -- The general secretary of the Federation of East Sea Fisheries Cooperatives of Korea issued a talk on June 24 in connection with the expiration of the extended term of the tentative fishery agreement signed between the Federation of East Sea Fisheries Cooperatives of Korea and the Japan-Korea Fisheries Council on June 30. Follows the full text of the talk:

Thanks to the care shown by the Government of the Democratic People's Republic of Korea for the stability of the life of the poor fishermen of Japan, a tentative fishery agreement was signed on September 5, 1977, between the Federation of East Sea Fisheries Cooperatives of Korea and the Japan-Korea Fisheries Council, allowing the poor fishermen of Japan to catch fish free of charge in the economic waters outside the military boundary of our country. For nearly 6 years since then, thousands of fishing boats of the Japanese side have caught fish in the economic waters outside the military boundary of our country without the least inconvenience under the protection of the government of our republic. By a friendly step of the government of our republic desirous of good-neighbourly friendship between the peoples of Korea and Japan, the term of validity of the tentative fishery agreement has been extended twice and its extended term will expire on June 30.

In this connection, the organisation of the Japanese side, a signatory to the agreement, and personages concerned, have expressed on several occasions from last year their wish to have its term extended again.

Taking into consideration this wish of the Japanese side and the good neighbourly relations between the two peoples, our side has expressed all goodwill and generosity from March this year for an early solution of the problem of extending it.

But, due to the unfriendly step of the Japanese authorities, the desire of the relevant organisations and fishermen concerned of Japan has been ignored and our generous and sincere efforts have come to naught, and the term of validity of the tentative fishery agreement is expiring without so much as an agreement between personages concerned of the two sides to this end. Deeply regretting this, we hereby request the Japan-Korea Fisheries Council and the Dietmen's League for Promotion of Japan-Korea Friendship to take an appropriate step to withdraw all the Japanese fishing boats operating in the economic waters of our country by June 30 till a new agreement is reached between the two organisations.

In case a deplorable event occurs from illegal fishing operation in our economic waters after the expiration of the term of the tentative fishery agreement signed between the Federation of the East Sea Fisheries Cooperatives of Korea and the Japan-Korea Fisheries Council, the responsibility for it will entirely rest with the competent organs and organisations of Japan.

CSO: 5200/2089

FISHING COUNCIL ORDERS JAPANESE BOATS FROM DPRK WATERS

Council Orders Departure

OW251055 Tokyo KYODO in English 1047 GMT 25 Jun 82

[Text] Tokyo, June 25, KYODO-- The Japan-North Korea Fishing Council, a private body of fishermen, Friday ordered all Japanese fishing boats operating in a 200-nautical-mile zone around North Korea to leave the area as soon as possible, council officials said.

This order was issued after North Korea announced Thrusday that it would not permit Japanese fishery operations in the 200-mile zone from July 1, when the current Japan-North Korea private-level fishery agreement expires. About 300 Japanese cuttle fishing boats are operating in the zone at present and will have to leave the area by the end of June.

Hauls by Japanese fishing vessels in the zone were worth yen 5 billion (dollar 19.6 million) in 1981, a large drop from the yen 13 billion (dollar 50.9 million) recorded in 1980.

Sakurauchi on DPRK Fishing Talks

OW260524 Tokyo KYODO in English 0516 GMT 26 Jun 82

[Text] Tokyo, June 26, KYODO -- Foreign Minister Yoshio Sakurauchi indicated Saturday the government may admit a North Korean delegation, depending on its membership, to discuss extension of a private fishery agreement.

North Korea said Friday it would not allow Japanese fishermen to operate within its 200-mile economic zone on June 30 at the expiration of the present fishery accord.

Speaking at a meeting of the House of Representatives Budget Committee, the foreign minister said his office would discuss prudently the question of the visit of a North Korean delegation if it materializes. This was interpreted to mean the government would allow the North Korean delegation to visit Japan depending on who will be in the group.

North Korea said a new fishery agreement could not be concluded because of Japanese authorities' unfriendly stance toward the communist government.

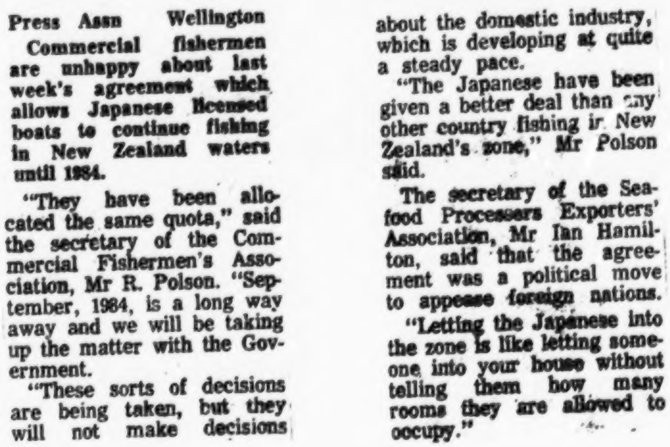
CSO: 5200/2089

JAPANESE BOATS IN NEW ZEALAND ZONE UPSET LOCAL FISHERMEN

Agreement Extension Criticized

Auckland THE NEW ZEALAND HERALD in English 1 Jun 82 p 11

[Text]



Press Assn Wellington

Commercial fishermen are unhappy about last week's agreement which allows Japanese licensed boats to continue fishing in New Zealand waters until 1984.

"They have been allocated the same quota," said the secretary of the Commercial Fishermen's Association, Mr R. Polson. "September, 1984, is a long way away and we will be taking up the matter with the Government.

"These sorts of decisions are being taken, but they will not make decisions about the domestic industry, which is developing at quite a steady pace.

"The Japanese have been given a better deal than any other country fishing in New Zealand's zone," Mr Polson said.

The secretary of the Seafood Processers Exporters' Association, Mr Ian Hamilton, said that the agreement was a political move to appease foreign nations.

"Letting the Japanese into the zone is like letting someone into your house without telling them how many rooms they are allowed to occupy."

Government Spokesman's Response

Wellington THE EVENING POST in English 2 Jun 82 p 27

[Text]

The bilateral fishing agreement with Japan laid down only the conditions under which licensed fishing was conducted, and did not guarantee any particular tonnage to Japan, the Acting Minister of Fisheries, Mr Talbot, said yesterday.

Mr Talbot was responding to criticism by the Federation of Commercial Fishermen of the extension of the agreement until late 1984.

"The federation is well aware that during the course of the existing argeement, which was signed in 1978, Japanese access to the prime species has been cut substantially," said Mr Talbot.

"These cuts have been made to increase the quantities of these profitable species available to co-operative ventures and domestic fishermen."

Mr Talbot added that when the extension of the fisheries agreement was announced, it had been made clear that the Government had deliberately limited it to two years because the fishing industry was going through a period of development and "we wanted to keep our options open for accommodating its increasing needs."

- Commercial fishermen in Timaru want all foreign and joint-venture squid boats banned from fishing in the Canterbury Bight.

And they will ask the federation's conference in Picton this week to support moves to have the Bight reserved for New Zealand-owned fishing boats.

They claim in a remit that early season catches by the Japanese have a serious effect on the financial return for local fishermen during the latter part of the season.

The fishermen also say squid caught by the Japanese is smaller than that caught by local boats, and squid reserves could be seriously affected.

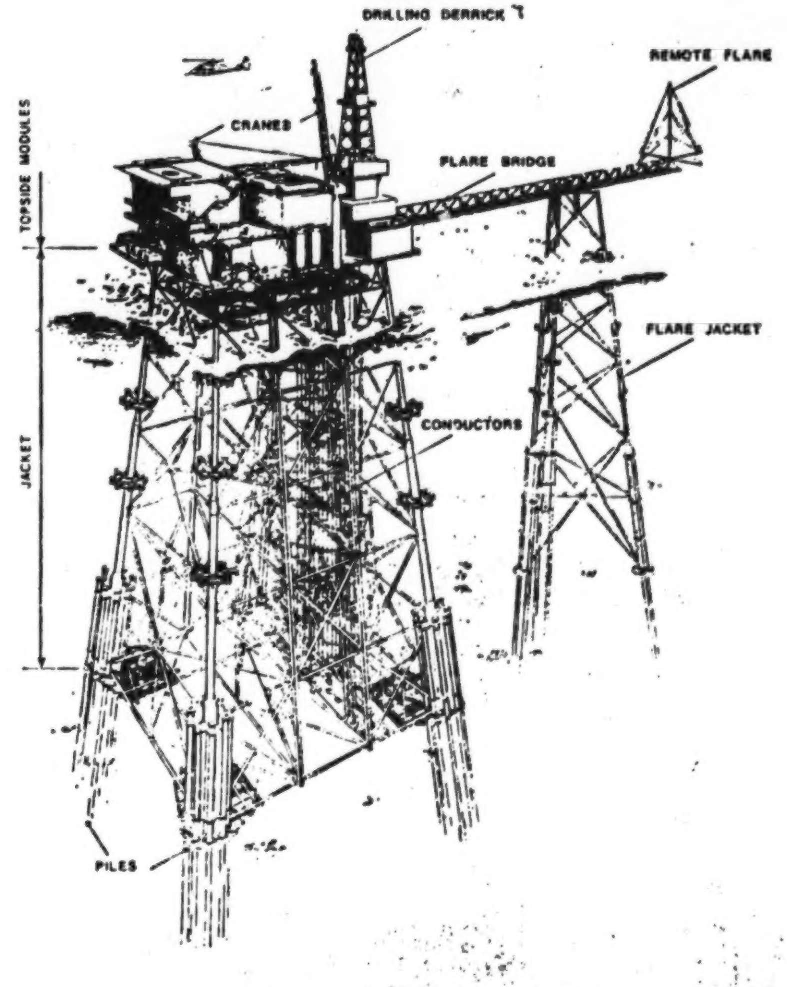
CSO: 5200/9095

AUSTRALIA

RECORD-SIZED JACKET, PLATFORM READY FOR NORTH WEST SHELF

Perth THE WEST AUSTRALIAN in English 20 May 82 News of the North p 14

[Text]


DRILLING DERRICK
REMOTE FLARE
CRANES
FLARE BRIDGE
TOPSIDE MODULES
FLARE JACKET
CONDUCTORS
JACKET
PILES

An artist's view of the North Rankin A jacket and platform which will be used on the NW Shelf.

ALL EYES around Dampier and Burrup will be directed seaward this weekend awaiting the arrival of the biggest single piece of equipment for the North West Shelf gas project, the 23,000-tonne North Rankin A jacket. The jacket was built at the Nippon Kokan shipyard in Tsu, Japan, and set off for Burrup in April. It is expected to arrive on Friday or Saturday and will be anchored in Mermaid Sound until weather conditions are right for the 12-hour tow to the site of the field, 130km off Dampier. There it will be slid from the 183-metre long barge and when positioned will be flooded in a controlled way so it settles on the bottom in 12-metre deep water. The jacket is an eight-legged steel structure which will be held to the seabed by 32 piles each 154m long and 1.8m in diameter. It is one of the heaviest steel platform sub-structures to be built anywhere in the world and is about three times as heavy as any of the jackets installed in the Bass Strait field. It is designed to withstand cyclonic conditions with winds of up to 215-kmh and waves up to 23 metres high.

CSO: 5200/7543

UNDERSEA PIPELINE FROM NW SHELF GAS PROJECT BEGUN

Perth THE WEST AUSTRALIAN in English 31 May 82 p 4

[Article by Peter Alford]

[Text] **THE OFF-SHORE phase of the North-West Shelf natural gas development is now in full swing with the laying of the submarine pipeline from the Burrup Peninsula to the North Rankin field having begun.**

Project construction work is running ahead of schedule and Woodside Offshore Petroleum officials hope to have the 135km pipeline finished in four months.

The pipe-laying barge ETPM 1601 began welding together lengths of pipe and laying them on the sea floor on Friday night.

The pipeline will carry gas and condensate from the North Rankin "A" platform to the gas-treatment plant at Withnell Bay, north of Dampier.

Woodside Offshore officials estimated in the weekend that the North-West Shelf joint venturers — Woodside Petroleum Ltd, BP Australia, California Asiatic Oil, Shell Australia and BHP—are now spending about $2 million a day on the project.

Dispel

They were keen to dispel fears that target date extensions for the second stage of the project—delivery of liquified natural gas (LNG) to Japanese customers—were affecting progress of the domestic gas stage.

The domestic gas phase--the State Energy Commission has contracted to buy 10.9 million cubic metres daily over 20 years, starting in 1984—will cost $2200 million at current estimates.

The North Rankin "A" jacket arrived in Mermaid Sound, off the peninsula, on May 22 and is being checked for possible damage during the trip from Japan and that equipment is in working order.

Woodside Offshore's assistant general manager (construction and production) Mr Ian Henderson, said that if all went well the jacket would be towed on its barge out to the field and secured in place within a week.

It is expected that accommodation, drilling and substructure modules, a helipad and a flare tower will be delivered and ready [illegible] secured to th[illegible] form by mid-September.

The modules are being built at Jervoise Bay, Geraldton and Singapore and the flare tower is under construction in Adelaide.

Mr Henderson said that if significant delays could be avoided he hoped to have the drill rig operational by March next year—well ahead of the October 1983 date in the project's "master schedule".

The North Rankin "A" platform will have the capacity for 34 wells.

Seven will be need in operation to fulfil the first-stage requirements.

Meanwhile, the pipeline is being laid on the sea floor alongside the route of the trench that will hold it.

An undersea plough will then dig the trench and lay the pipe in it.

The rock-dumping vessel "Rocky Giant" will cover the pipeline with rock to a distance of 23km from shore.

This covering will protect the pipeline from dragging anchors and from movement caused by cyclone surge waves.

CSO: 5400/7545

FISHERMEN TO ASK GOVERNMENT FOR BAN ON JAPANESE TUNA BOATS

Canberra THE WEEKEND AUSTRALIAN in English 22-23 May 82 p 6

[Article by Fia Cumming]

[Text] THE Fishing Industry Council will ask the Federal Government to ban Japanese fishing in Australian waters because the industry's staple, the southern bluefin tuna, is threatened.

The council's executive meeting last week decided to press for the removal of all Japanese fishing vessels from the new fishing year, beginning on November 1, to save the $15 million local industry.

This follows a CSIRO Division of Fisheries report which concluded the bluefin tuna could suffer a "population crash" unless the catch was immediately reduced.

The council's national executive officer, Mr Stephen Carney, said yesterday the Government would now have to decide between the Japanese and the Australian industries.

"We appreciate the Government is in a delicate position and does not wish to upset its Japanese trading partners, but that is their problem," Mr Carney said.

At present, there are no restrictions on bluefin tuna fishing, and the catch this year from Australian boats, Japanese long-line trawlers and New Zealanders could be 50,000 tonnes.

Scientists believe the sustainable catch limit is only 26,000 to 28,000 tonnes.

INVESTED

Mr Carney said the Australian tuna catch, 11,000 tonnes two years ago, was now 23,000 tonnes, and the industry had recently invested heavily in trawlers.

"That doesn't leave any room for the Japanese, and it means the Australian industry itself will have to manage and control its catch in future years," Mr Carney said.

The CSIRO report said the tuna spawning stock was more than halved by over-fishing between 1967 and 1974, and was now below the level where the fish population could maintain itself.

Catch-weight quotas should immediately be imposed for each State with large blue-fin tuna industries — Western Australia, South Australia and NSW.

But one of the scientists, Dr Garth Murphy, said perhaps only an international committee to introduce and enforce catch limits could ensure quotas were followed.

The CSIRO researchers said the Australian catch this year would not affect spawning stock until 1983-84, and the effect on fishable stock could not be estimated for another seven years.

The director of the NSW State Fisheries, Dr Donald Francois, said the CSIRO scientists were "alarmists," and the fish population would gradually decline rather than collapse.

"The only crash will be when the fisherment can't make enough money. It will be an economic crash rather than a population crash," he said.

CSO: 5200/7543

NEW DRILLING TO BE STARTED OFF TASMANIAN COAST

Sydney THE SYDNEY MORNING HERALD in English 18 May 82 p 13

[Article by J. N. Pierce]

[Text] A well to be spudded off Tasmania's inhospitable West Coast late next month will mark the return of one oil explorer after an eight-year absence and the beginning of an ambitious petroleum search career by another.

The returning explorer is Standard Oil Co (Indiana) subsidiary, Amoco Australia Petroleum Co, which has not carried out any Australian exploration since 1974.

The new explorer is the glass container and packaging group, Australian Consolidated Industries Ltd, which has set its sights on placing about one-quarter of its assets in the energy and resources industry during the 1980s.

The well will be known as Cape Sorell No 1, taking its name from the southern headland of deeply indented Macquarie Harbour on which the small mining port of Strahan stands.

The well will be drilled by Diamond M Epoch, a semi-submersible drilling rig whose last overseas assignment was off the coast of Argentina.

The rig is under long term contract to Phillips Petroleum for its programs in the Otway and Gippsland Basins but in the meantime is being farmed out to other groups. Its first Australian activity has been the Pisces 1 well in Gippsland Basin for the group headed by Union Texas.

Cape Sorell No 1 is expected to be spudded between June 21 and June 30 about 13 kilometres northwest of Cape Sorell lighthouse. It will have a target depth of about 3660 metres.

Amoco and ACI will each have a 25 per cent participating interest in the well, which is in the Tasmanian permit area, T/12P. Amoco will be the operator.

The other participants are Tasman Oil Inc--a subsidiary to Fluor Corporation of the US--with 40 per cent, and Anschutz Overseas Corporation, with 10 per cent.

CSO: 5200/7543

BRIEFS

BASS STRAIT ACTIVITY--A $240 million search for oil in Bass Strait has begun with the spudding of the Hammerhead No 1 well. Shell Development is operator on behalf of Shell, 40 per cent, News Corp 20 per cent, TNT 20 per cent, Crusader 15 per cent, and Mincorp 5 per cent. The well is the first to be spudded in permit areas relinquished by BHP-Esso in last year's licensing round. The target at Hammerhead is a trap lying in the Rosedale fault system, at a depty of 121m. Expected total depth of the well is 2100m. Shell Development hopes oil within the Gippsland Basin has migrated to the boundary fault and has been trapped. [Text] [Canberra THE AUSTRALIAN in English 18 May 82 p 40]

NEW SHELF WELL PROGRESS--Woodside Petroleum Ltd reported that the North Scott Reef No. 1 well being drilled on the North-West Shelf was at a plugged back depth of 4391m. During the week a 18cm liner was run in preparation for production testing. Participants in the well were: Woodside 50 per cent, BP Petroleum Development Australia Pty Ltd and California Asiatic Oil Company each 16.67 per cent and Shell Development (Australia) Pty Ltd and Hematite Petroleum Pty Ltd each 8.33 per cent. [Text] [Perth THE WEST AUSTRALIAN in English 19 May 82 p 76]

FISH 'DUMPING' ISSUE--Sydney: NSW fishermen are threatening to blockade Sydney Harbour in protest at what they say is the dumping of cheap New Zealand fish in Australia. The trawlermen want the Federal Government to act to stop imports of cheap fish. "Fishermen are reaching their breaking point," said Mr Terry Curtin, executive officer of the NSW Professional Fish Trawler Owners' Association. "They are going broke. The Government has known about the problem for almost a year and still nothing has been done." Mr Curtin said there was strong support at a recent meeting of trawler owners for a harbour blockade. "They are determined to take some direct action if there is no satisfactory Government proposal within a week or two," he said. "One proposal was to dump two tonnes of fish on the steps of Parliament House in Canberra." Mr Curtin said large volumes of cheap NZ fish were flooding the Australian market. Imports of whole fish and fillets had jumped from 21,000 tonnes in 1978-79 to 32,860 tonnes in 1980-81. A large part of the increase was NZ fish caught by joint NZ-Russian operations. Fish prices on the Sydney market had fallen an average of 4 per cent last year. At the same time, trawler operators' costs had risen dramatically. [Text] [Perth THE WEST AUSTRALIAN in English 19 May 82 p 52]

QUEENSLAND OVER-FISHING--You cannot find the kind of seafood you dearly love, in the quality and quantity you want, and at a reasonable price--right? Join the club.

A million or more Queenslanders are already members, including a lot, perhaps the majority, of commercial fishermen. In the not very long term, the situation could become even less palatable. Unless the fishing industry gets its act together, one day there'll be little or no seafood left in Queensland waters to complain about. These waters are being too heavily fished. From the Gulf to the Tweed, professionals, amateurs and shamateurs are beginning to take more from the sea than nature can replace. That is the opinion of the Queensland Commercial Fishermen's Organisational chairman, Mr Dale Bryan. The Primary Industries Minister, Mr Ahern, agrees, and so do many competent fisheries scientists and administrators. Mr Bryan, 42, of Innisfail, a master fisherman, likens the situation to that of a cattleman who allows his beasts to overgraze a paddock, not just to the point of cropping the grass to ground level but to pulling up the roots and eating them as well. He agrees he has a political purpose in what he says, but no, he is not sounding a false alarm: the situation is as he says it is. Someone, he says, has to wake the state, more particularly his organisation's 2760 members and all in the fish catching, processing and marketing industry, to the facts. Mr Bryan says that, paradoxically, an industry which is often and with justification described as inefficient is, in fact, too efficient. [Excerpt] [Brisbane THE COURIER-MAIL in English 24 May 82 p 5]

OIL SLICK FROM SINKING--The 8500 tonne cargo ship Kyoten Maru has sunk in the Coral Sea two days after it was shipwrecked on Lihou Reef, 360 nautical miles east of Cairns. The ship sank yesterday afternoon, leaving an oil slick, 40 large containers, one life boat and two life rafts floating near the reef, the Australian Coastal Surveillance Centre said last night. It was believed the Kyoten Maru carried 500 tonnes of oil. A civil aircraft chartered by the Transport Department reported the sinking. A RAAF Orion surveillance plane was sent to fly over the area late yesterday. It confirmed the sinking and reported that there were no other ships within 60 nautical miles of the area. The RAAF plane also confirmed that there was an oil slick and large containers floating near the reef where the ship had been. The Kyoten Maru was on its way from Sydney to Port Moresby when it hit the reef at 7.30 p.m. on Tuesday. Its crew of 24 were taken off by the 25,000 tonne British container ship Arafura on Wednesday morning. The main concern now is the oil slick. Its size was not known late last night, but part of it had been broken up by waves in the area, a Surveillance Centre spokesman said. The navigational aid vessel Lumen left Cairns yesterday with an oil pollution expert and some equipment to fight the slick. It also was carrying some salvage equipment. The Lumen was expected to arrive at the reef this morning. Surveillance aircraft will continue to monitor the movements of the oil slick. [Text] [Brisbane THE COURIER-MAIL in English 28 May 82 p 3]

CSO: 5200/7545

DEFENSE MINISTER SPEAKS ON NEED FOR COAST GUARD

Bombay THE TIMES OF INDIA in English 6 Jun 82 p 3

[Text] BOMBAY, June 5--The government of India has accorded high priority to the rapid augmentation of the Coast Guard Force for protecting our seabed resources and offshore assets from enemy threats, according tc the defence minister, Mr. R. V. Venkataraman.

Speaking at the launching of the second offshore patrol vessel, "Vijaya", at the Mazagon Dock here today, Mr. Vekataraman said an outlay of Rs. 110 crores had been made for a five-year Coast Guard Development Plan under which the Coast Guard would equipped with 24 patrol vessels.

Foreign Vessels

The first patrol vessel "Vikram", launched eight months ago, would be commissioned in June 1983 and "Vijaya" would join the Coast Guard by the end of 1983. One more patrol vessel would be builk by the Mazagon Dock under the five-year plan.

Poaching by foreign vessels in Indian waters posed serious problem and the Coast Guard, with its limited forces, was hard put to apprehend the entruding foreign trawlers. Mr. Venkataraman said.

The defence minister said that more was to be done to ensure effective patrolling of our waters. The Coast Guard should also start prosecutions under legal provisions to ensure India's Exclusive Economic Zone against offenders, he said.

Vice-admiral M. R. Schunker, director-general of the Coast Guard, said the para-military force under the ministry of defence, had to protect over 2 million square kilometres of sea and about 5,550 km-long coastline around the country. India had been accorded the status of "Pioneer" by the recently concluded UN Laws of the Sea Conference in sea mining, he added.

The director-general said the Coast Guard had apprehended 30 foreign fishing trawlers poaching in Indian maritime zone and legal actions had been initiated against them. With the expeditious implementation by the defence ministry and quicker execution of the project by the Mazagon Dock, the traget force level of the Coast Guard, would be achieved in the planned time, vcie-admiral Schunkar said.

The managing director of Mazagon Dock, Mr. N. K. Sawnney, in his welcome address, said the launching of the second patrol vessel marked a step forward in achieving self-sufficiency in naval ship design and ship-building. The patrol vessels were specialised ships, fully designed by the Mazagon Dock.

He said the vessels were equipped with pollution control and fire fighting capacity and a deck and hangar for a ship-borne helicopter enhanced its versatality. He added that the Mazagon Dock was evolving a new design of more advanced version of these patrol vessels.

Sub Construction

He said that the shipyard was vigorously engaged in building Godavari class naval ships which are more sophisticated than the Leander class frigates, and civil works for the construction of submarines had begun.

The present indigenous content of products at Mazagon Dock was 71 per cent in patrol vessels and 60 per cent in Offshore platforms, according to Mr. Sawnney.

Earlier, Mrs. Anne Mary Schunker, wife of the director-general of the Coast Guard, christened the ship as "Vijaya" and after an invocation applied "kumkum" to the stem of the ship. And in accordance with the tradition after breaking a coconut on the bow of the ship, she launched the vessel by pressing a button and "Vijaya" gracefully slid into the sea from the drydock.

Those present on the occasion included Mr. M. C. Sarin, secretary, defence production, and the FOC-in-C, western naval command, M. P. Awati.

CSO: 5200/7042

BRIEFS

NAVY ARREST AUTHORITY--The Centre has authorised the commissioned officers of the Navy in addition to the coast guards under Section 9, sub-section (I) of the Maritime Zone of India Act to check illegal fishing by foreign vessels, reports UNI. [Text] [New Delhi PATRIOT in English 20 Jun 82 p 5]

CSO: 5200/7044

BRIEFS

JAPANESE AID--Singapore, 17 Jun (ANTARA)--Japanese Foreign Minister Yoshio Sakurauchi has stated that Japan was prepared to help Indonesia in the exploitation of deep sea wealth. The statement was made by Minister Sakurauchi when he met his Indonesian counterpart, Minister Mochtar Kusumaatmaja, at the Hilton Hotel here Wednesday [16 June] The deep sea wealth issue emerged in bilateral of the Wawasan Nusantara archipelago concept in the last conference on the law of the sea. The time has come to explore the way for the development of the exploitation of sea wealth to support national development, according to Minister Mochtar. Indonesia, Mokhtar said, respects Japan for her support to the draft convention forwarded at the last conference on the law of the sea. [Text] [BK170855 Jakarta ANTARA in English 0715 GMT 17 Jun 82]

CSO: 5200/670

EXCLUSIVE FISHING ZONE MAY BE EXPANDED FOR LOCAL FLEET

Wellington THE EVENING POST in English 2 Jun 82 p 21

[Article by Karen Dabrowska]

[Text]

PICTON, Today. — There was still some room for the expansion of New Zealand fisheries, the Parliamentary Under-Secretary to the Minister of Agriculture and Fisheries, Mr Rex Austin, said today.

"But just how much more we can take out and for how long without destroying the fishery or somebody going broke is far from certain," Mr Austin said in his opening address to the 24th annual conference of the New Zealand Federation of Commercial Fishermen in Picton.

"Unless further research shows there are more fish out there than we think there are, or the ones nobody wants can be caught and marketed profitably, we have to face the fact that we have a surplus of catching capacity.

"In the few years since the exclusive economic zone was declared we have arrived at a balance — perhaps an uneasy one — of domestic New Zealand involvement, joint ventures and foreign licensed fishing.

"The Government is committed to getting as many New Zealanders as possible involved in fishing, and the ministry is considering extending the areas adjoining the territorial sea that are closed to foreign and joint venture boats.

Ability

"To achieve the extension of the closed areas, it must be established that the domestic fleet is reasonably capable of harvesting the fish," Mr Austin said.

The National Fisheries Management Advisory Committee has suggested fishermen supply the ministry with information required to determine whether this is the case.

Mr Austin emphasised that entering the deepwater fishery was not just a matter of training or having suitable vessels.

"Lifestyle and attitudes will play a large part.

"For instance, an American tuna boat commonly spends 12 weeks at sea, and some of our local fishermen might have to contemplate changes to their traditional way of operating if they are to compete successfully in the deeper waters," Mr Austin concluded.

CSO: 5200/9096

NEW OIL PROSPECTING LICENSE ISSUED FOR GREAT SOUTH BASIN

Christchurch THE PRESS in English 5 Jun 82 p 6

[Text]

PA Wellington

A new oil prospecting licence for the Great South Basin off Stewart Island has been approved by the Government.

The Minister of Energy (Mr Birch) said yesterday that drilling of at least two prospecting wells in the area was expected next year.

Negotiations for a suitable rig were still going on but at least two wells, costing about $30 million each, were expected during the next three years.

The petroleum prospecting licence has been awarded to Hunt International petroleum Company N.Z., Ltd, its associated companies of Impel N.Z., Ltd. and Placid Oil, Ltd. and Petroleum Corporation of N.Z. (Exploration), Ltd. on behalf of the Government.

The licence covers the same area of more than 59,000 square kilometres, as covered by a previous licence, and has been issued for up to five years.

The licence area is part of one of New Zealand's most prospective basins, the Great South Basin.

"The geology of the region is such that there is potential for a major discovery of petroleum," Mr Birch said.

"Of the six wells drilled in the basin in the 1970s, three had shows of hydrocarbons."

CSO: 5200/9096

NEW INTERNATIONAL SEA LAW POSES PROBLEMS FOR PHILIPPINES

Manila BULLETIN TODAY in English 16 Jun 82 p 28

[Article by E. T. Suarez]

[Text] Solicitor General Estelito P. Mendoza said yesterday that the right of unimpeded passage enjoyed by foreign ships under the new international law of the sea poses problems for the Philippines and is contrary to its Constitution.

Mendoza, in an interview with newsmen during a program commemorating the 81st anniversary of the solicitor general's office, said the right of unimpeded passage is provided for by the Convention on the Law of the Sea approved by a United Nations conference in New York city recently.

He said the Philippines took part in the conference.

"Under this new law of the sea, even warships may pass through what the Philippines considers her internal waters, and thus create security problems for the country," Mendoza said.

He said the new law of the sea recognizes the archipelagic principle espoused by the Philippines, Indonesia and other archipelagic states. He said that under this principle, archipelagic waters belong to their respective states.

"But the same treaty made exceptions to the sovereign right of archipelagic states over their waters," Mendoza stressed.

One of these exceptions, Mendoza said, is the right of unimpeded passage by foreign vessels through the archipelagic waters.

Mendoza explained that under the Constitution, the waters around, between and connecting the islands of the archipelago, irrespective of their breadth and dimensions, form part of the internal waters of the Philippine archipelago.

Meanwhile, Mendoza said the existence of the solicitor general's office shows that even the government is subject to law and its actions may be challenged in court.

He said his office represents the government and its officials involving their official acts in court litigations. Considered the "biggest law office," it is manned by some 250 lawyers and support staff.

"This office is proof that the rule of law is observed in this country," Mendoza said.

CSO: 5200/5666

FISHERIES MINISTER INTERVIEWED ON MARITIME PROBLEMS

Colombo THE ISLAND in English 13 Jun 28 p 4

[Article by Ravindran Casinader]

[Text] Q: Why is it that Sri Lanka, an island surrounded by fish, continues to import canned fish?

A: It is because out output of fish at the moment is not sufficient to meet the demand. On the basis of 45 pounds per person per year we need about 300,000 tons to supply our people with the necessary fish protein. At the moment, production is around 190,000 tons. The balance 110,000 tons have to be imported to satisfy the demand. As such, we have to import dry fish and canned fish.

Q: Why is it that production has not increased sffficiently?

A. So far we have been dependent on coastal fisheries for which we have been using a small fleet, partly mechanised and partly unmechanised. However, we have now gone in for mechanisation on a large scale, in an effort to increase production. When we took over, out of a fleet of 22,000 craft only 7,000 were mechanised. As a result of our mechanisation policy more n production is partly due to our inland fisheries production going up from 7,000 tons in 1977 to 15,000 tons this year.

We have increase production despite the setback caused by the cyclone in 1978 which damaged, completely, more than onesixth of our fleet.

Q: Why is it that, despite your policy of mechanisation and increased production, fish prices are so high?

A: The prices are high because of several reasons. One is the inflationary trends in the country: the fisherman too has to meet his increasing cost of living. Then, there is the increase in demand for fish, caused partly by the tourist industry. I know one hotel in the south which is prepared to pay any amount to buy seer fish from the people. This hotel collects as much as 25 tons per week from the coastal areas and stocks them in ice storage in the area. We have also to take into account the fisherman's increasing costs of production. For instance, as a result of the price increase in electricity, the ice factories increased the price of their ice sold to fishermen. To add to this prices of fishing equipment, such as boats, have gone up by as much as ten times.

Q: But still, with the increase in production that you talk about one would have expected better prices for the fish?

A: True. Production has been increased to 190,000 tons. But the maximum we can get from the coastal area is 255,000 tons. Three resource surveys that we have carried out also confirm this. That is the maximum we can get. Our seas are not as fertile as we think. That is because our fish are mainly the migratory type and that is seasonal. If the season fails, the fish may not come.

As for the demersal variety (Fish living at the bottom of the sea) our seas, unlike in the Bay of Bengal or around Maldives don't provide enough upsurge of nutrients. Our fish depend for their nutrients largely on the rivers flowing into the sea. But because of the lack of rail and the damming of rivers such as the Mahaveli Ganga even that source of nutrients is getting blocked up. Because of the Mahaveli project the eastern province may not have the same amount of fish as there used to be. That is why to compensate for that, we are stepping up inland fisheries in the Mahaveli region.

Q: Speaking of the eastern province, there have been complaints that the effluents from the Valachchenai Paper Factory have decimated the fish population in the Valachchenai lagoon. What action have you taken?

A: We had appointed a committee to investigate the matter. Some of the short-term measures recommended by the Committee, such as the cleaning up of drains, are being implemented. As a long-term measure, the committee had advised us to set up a processing plant to process the waster material of the factory. But the processing plant will cost about Rs. 150 million and we are looking for a source for funding.

Q: What do you feel about Cey-Nor?

A: Cey-Nor is actually a private organisation. We are helping Cey-Nor because it is an establishment which is contributing to our national development efforts to increase fish production.

Q: But aren't some of your officials directors of Cey-Nor?

A: My Secretary Mr. Anura Weeraratne happens to be Chairman of Cey-Nor by virtue of the office he holds in this Ministry. But that was the wish of they Cey-Nor benefactors, that the Secretary of the Fisheries Ministry should be the Chairman.

Q: There have been tears expressed in the north that the Government might close down Cey-Nor?

A: No, we will never close down Cey-Nor.

Q: There have been complaints of corruption, waste and mal-administration at Cey-Nor. What steps are you taking to rectify this?

A: There have been various allegations. My Secretary, who is the Chairman, has taken drastic measures. Now it is on a better footing especially after the retrenchment.

Q: Why is it that there has been tension in Mullaitivu and Mannar between native fishermen of those areas and migrant fishermen who go there?

A: There is now an awakening consciousness on the part of local fishermen that they have a right to fish resources in their own areas. That is the main reason why the local fishermen are now against migrant fishermen. Everywhere it is happening, not only in Tamil areas but also in Sinhala areas where sinhalese are objecting to sinhalese from other areas coming to fish there.

Q: But in respect of Mullaitiva and Manner, is it not due to the fact that houses have been allocated to migrant fishermen who don't belong to those areas?

A: No. In Mullaitivu, no houses have been allocated in Mannar to migrant fishermen?

Q: What about Mannar?

A: No.

Q: You mean no houses have been allocated in Mannar to migrant fishermen?

A: Well, you see, even among migrant fishermen you get a class of people who have become locals. They spend their lives mainly in those areas. It is very rarely that they get back to their native areas, if at all.

Q: Your ministry had spent a lot of money on subsidising boats. But boatbuilders are said to be passing defective boats to local fishermen. What steps are you taking to prevent this?

A: We have taken steps to ensure that boats are made to certain specifications. There may be instances where these people have given bad boats. But when we receive complaints our engineers keep a strick check on the boatyards.

Q: Is it true that a good number of defaulters of bank loans given for boats are migrant fishermen who, having bought the boats, have decamped?

A: Migrant fishermen are not the only ones who have defaulted. There are certain areas where there are more defaulters than in other areas.

Q: What is the criterion used by the Fisheries Ministry in giving subsidies for fishing boats?

A: In the case of boats given to co-operatives we give a subsidy of 50 percent and in the case of private individuals and firms it is 35 percent.

Q: Who chooses as to who is to get these subsidies?

A: They must be recommended by the local fisheries officials, but if it is a co-operative there is no need for a recommendation.

Q: Is there any feasibility done with regard to individuals who will be receiving the loans, whether they are capable of repaying the loans?

A: It is the banks that give the loans, and they carry out a survey before they do that.

Q: But the banks may not be able to do a detailed study in all cases. Why doesn't your Ministry also do a feasibility survey before the loans are given?

A: As far as the fishermen are concerned, they have no other income other than from fishing. So the banks only have to see whether the fishermen are capable of fishing.

Q: Is it absolutely essential for one to be a fisherman?

A: No, it is not necessary. The subsidy is based on a policy of primarily, giving an incentive to any one who likes to fish, and secondly, to give fishermen a helping hand.

Q: Don't you think that if the loans are given to people who are not fishermen they might be misused?

A: The loans are meant for people who need large boats for deep sea fishing. The poor fisherman cannot afford to buy a boat for even Rs. 5,000. In the case of the self-employment scheme, the fisherman gets 35 percent and the banks give 57 percent. The fisherman will have to pay 8 percent.

Even 8 percent of Rs. 5,000 is a big amount for a fisherman. So it is to ensure that deep sea fishing is done that we give these loans also to those who are not fishermen.

Q: There have been allegations that there was undue delay in the handing over boats to the Devinuwera electorate.

Have you any comments?

A: There was no delay in the handing over of boats. Only in the case of co-operatives we were unable to give any boats to any place because there was a problem of bank loans being not available.

Q: Why were the bank loans not available?

A: Earlier these boats were given from monies from the Treasury, on an Advance Account. This scheme was stopped and taken over by the banks. The banks then took time to plan the loan scheme...

Q: The Finance Minister is reported to have said that the Fisheries Ministry was holding up the issue of the boats.

A: That's a misunderstanding. We are not holding up the issue of boats. It is the banks that hold up the issue of boats.

Q: While the Fisheries Ministry is going ahead with the intensified mechanisation programme, why is it that the local fishermen have not been given adequate training on the new technology?

A: We are training the youth who are taking to fishing. As far as the traditional fishermen are concerned, we are finding it difficult to persuade them to learn the new methods.
in fact the Norwegian research vessel 'Dr. Fiordoft Nansen' has advised us that our fishermen must adopt methods such as long-line fishing.

We are teaching our fishermen this new type of technology.

Q: Fishing vessels from Taiwan and Japan poach in our waters. But why is it that we have not been successful in terms of foreign collaboration for fishing projects?

A: I think that is the very reason why we have not been successful. Poaching goes on unabated. They prefer to poach and take away our fish than be engaged in foreign collaboration in which case they would have to give us our share.

We have been trying to have joint ventures in deep sea fishing with various countries such as Korea and Japan, but have not been successful.

Q: Sri Lanka has been faced with the recurring problem of Indian fishing trawlers intruding into Sri Lanka's territorial waters and damaging fishing gear of local fisherman. What action are you taking to prevent this/

A: That's a mutual problem.
Their people cross the border and our people too cross the border. One cannot say which party is the aggressor, because the area dividing the two territorial waters is a narrow strip. It is only an imaginary line.

We are trying at official level to iron out these problems.

Q: You have also said that you would like to negotiate with the Indian government to reclaim the rich fishing grounds of the Wadge Bank which Sri Lanka had conceded to India when the problem with regard to the Kachchetivu Island was resolved in 1976. How has India responded to your proposal?

A: So far there has been no response.

Q: Why was the decision made to shift the Bay of Bengal headquarters from Madras to Colombo.

A: This decision was taken by the Day of Bengal Conference held here last year. Even the FAO had thought it fit that the TUNA Secretariet be set up in Colombo.

Since Sri Lanka is surrounded by fish, the member states of the Bay of Bengal Conference must have thought that the Headquarters should be shifted to Sri Lanka for a change.

Q: Why is it the Headquarters has still not been set up in Colombo?

A: The FAO has to do it. But India has been protesting against the decision.

Q: On what grounds has India protested?

A: That it has been in Madras all the time. But India was not present at the time the decision was taken at the Conference.

Q: Why did they not participate at the Conference?

A: They said they had other committments.

Q: Do you think they were trying to boycott the Conference?

A: I don't think so. I checked up with the Indian High Commission. They said their delegates had certain committments. I think their elections was going on.

Q: How has Sri Lanka responded to India's protest?

A: We see no reason why the Headquarters should not be shifted. The decision of the conference committee should go through.

Otherwise it will be undemocratic. We anyway don't want to make a big issue about it with India. After all we are friendly countries. And I am sure India will not stand in our way.

CSO: 5200/5666

NATIONAL INTERESTS, RIGHTS IN LAW OF SEA DECLARED

Warsaw TRYBUNA LUDU in Polish 7 Jun 82 p 6

[Article by Zbigniew Lesnikowski: "Law of the Sea Convention--End of the Great Debate"]

[Text] There has been no longer nor more arduous debate in the history of the ONZ [United Nations Organization]. From the first session in Caracas in 1974, through the last recently concluded session in New York, there was no let-up in disputes and stormy discussions. When the verdict was at last announced at the conclusion of the 11th session of the 3rd Law of the Sea Conference, participants heaved a sigh of relief. Their efforts had not been in vain.

After 8 years of negotiations a Law of the Sea Convention was finally adopted, together with a whole packet of accompanying appendices and resolutions.

Unfortunately, it was not possible to attain this via consensus or agreement by all conference participants. There were 130 countries for the plan, 4 against (the U.S.A., Israel, Venezuela and Turkey), while 17 States abstained from voting. Poland and other socialist countries were among the abstainees, except for Romania, Vietnam and Cuba which supported the Convention just like the "Group of 77" that already de facto numbers more than 120 Third World countries.

The main reason why some socialist countries abstained from voting was their reservations as to certain provisions that discriminated against them. These pertained to so-called pioneering investors in the exploitation of the ocean bed.

It was established that in addition to four countries: USSR, India, Japan and France, four international private corporations will also have the right of priority in conducting research and exploiting undersea resources--each with a substantial share of American capital. We regarded such a resolution as unjust, however, this does not mean that the countries that refrained from voting (in addition to those named above, they include Belgium, Federal Republic of Germany, Great Britain, Holland, Italy, Luxembourg, Spain and Thailand) will not sign or ratify the Convention.

The formal signing will most likely take place in September of this year in Caracas but the Convention will not become effective until 12 months after the date on which the sixtieth ratification document is filed. Before that happens, a preparatory subcommittee will be appointed. It will define the final form of future international institutions that will be monitoring the implementation of the Convention's provisions, namely, the Ocean Bed Organization with headquarters in Jamaica, and the Sea Rights Tribunal with headquarters in Hamburg.

Let us return, however, to the Convention itself and its accompanying documents. It is truly a universal, unified code that in about 300 articles contains all of the principles and standards of contemporary ocean law. There is talk in it about many unregulated matters in the future, which among others, pertain to exploitation of the ocean bed, the freedom of navigation (including the unrestrained transit of straits by ships and planes, the continental shelf, the study and preservation of the maritime environment, fishing and the conservation of biological resources. In a word, everything pertaining to any kind of activity associated with the sea that could have an overly significant meaning for the development of the global economy, international transportation and trade.

With so wide a range of fixed rules and the natural conflict of interests on the part of individual countries, it is no wonder that the 3rd International Law of the Sea Conference dragged on as long as it did and that it required so many compromises. Let us consider that for the first time in history this concerned the definition of rights and responsibilities associated with the sea of more than 150 very different countries. Socialist, capitalist, economically developed and developing countries, large and small, rich and poor, those that live almost exclusively off of the sea, and those which in general have no access to the sea. It is hard to believe that with such a variety of attitudes and views it was, however, possible to formulate, and by a huge majority to adopt a broad, almost 200-page code containing more provisions than the output of the 1st and 2nd Law of the Sea Conferences, in other words, the output of negotiations which have taken place since 1958.

If observers of the New York session talk about the enormous significance of the adopted documents and compare it to the United Nation's Charter and the Universal Declaration of the Rights of Man, and if UN Secretary General Javier Perez de Cuellar calls this Convention "a cornerstone on the road to building a better world"--then the bombast contained in those words seems to be fully justified.

To be sure, much depends on when the Convention becomes effective and on whether its provisions will be universally observed. The lack of consensus at its adoption is also disturbing, particularly the votes against the Convention, which could imply that certain countries will not be bound by its provisions. So is the fact that after numerous efforts to torpedo the output of the 3rd Conference, the United States, though having resigned from some of its demands continues to regard the documents accepted over its opposition, as not protecting parochial American interests. This obstructionist stand by the current USA administration, particularly with reference to the principles of exploiting sea resources that are recognized as the "common legacy of mankind" can in the future complicate implementation of the convention's rules, although it is conceivable that that stand could still be changed.

From the opinions expressed by members of our delegation about the New York session, it appears that Poland sees many more pluses than minuses in the Convention. Thus, although not all of Poland's interests were safeguarded, and we even regarded some of the rules as discriminatory, nonetheless Poland did not vote against adoption of the final documents. We recognized that international security, peace and the elimination of possible claims and conflicts--for which the seas and oceans could become an arena if the Convention was not adopted--are more important than even the best motivated economic interests of individual countries.

Thus, for example, not all of the Convention rules in the area of deep-sea fishing are favorable for us. The inland Baltic is a small half-closed sea thus we are interested in access to the economic zones of other coastal countries. Meanwhile, the Convention proclaims that the maximum width of a territorial sea cannot exceed 12 sea miles (1 mile = 1852 m), and the width of an economic zone--200 miles. In practice, this means that in the aggregate, economic zones encompass about 40 percent of ocean areas, in which the richest fishing grounds are to be found, and from which nearly 90 percent of all fishing is derived.

Our traditional fishing rights have been restricted more and more over the years, and the only consolation is that in accordance with Convention rules, a sea-shore country which itself is unable to take advantage of the fishing limits should permit access to fishing by fleets of other nations. Thus we have every right to request fishing concessions and undoubtedly will be taking advantage of that right.

It is worth noting that if it were not for Convention provisions, the difficulties in distant fishing grounds would be substantially greater. From this standpoint as well as with respect to navigational freedom, the Convention establishes some restraint on excessive attempts by some countries to expand the zone of waters under their exclusive jurisdiction. Although we are unable to establish a 200-mile economic zone in the Baltic in view of its dimensions, then nonetheless as an "unfavorably geographically located country", in accordance with the spirit of the Convention, we gain certain additional advantages that increase our opportunities for deep-sea fishing.

Finally, our navigational interests. They were guaranteed by the Convention's strongly emphasized principle of the freedom of navigation. This is extremely important for us. Not just because we have a large merchant fleet. Any disturbance of the freedom of navigation would have disastrous consequences for international trade, and that in turn could also reflect itself negatively on our economy. From that point of view, Convention provisions relative to freedom of navigation ring most positively in Polish ears.

10433
CSO: 5200/3002

BRIEFS

RED SEA MINERALS--Khartoum, June 18, (SUNA)--Energy and Mining State Minister Yousif Suleiman arrived Wednesday from France after attending the meetings of the Red Sea Mineral prospection coordinating committee that convened in Paris June 7-11. The meeting discussed results of exploration works that confirmed the availability of tengesten, gold, cooper, Zinc and silver. Prospection for tengesten and gold will begin in the next two years. Another relevant programme will be carried out next October. The prospection plan which aims at utilizing the Red Sea minerals costs $10 million and is a joint venture between Sudan, France and Saudi Arabia. [Text] [Khartoum SUNA in English No 4160, 18 Jun 82 p 1]

CSO: 5100/5010

IRAN

LAW OF SEA TREATY DENOUNCED AS SUPERPOWER COLONIALISM

Tehran KAYHAN INTERNATIONAL in English 19 Jun 82 p 3

[Text]

The Law of the Sea Treaty (LST) was finally signed after nine years of intense diplomacy and international bargaining on April 30. One hundred and thirty countries voted for it, 17 (including Russia, Britain and West Germany) abstained and four (U.S., Israel, Venezuela and Turkey) voted against. In naked self-interest the Americans continued to demand until the last minute, the introduction of major changes in the draft treaty, which is a complex convention of 320 articles and nine annexes in 180 pages. Last minute concessions offered by the 160 State conference guaranteed U.S. mining companies and the so-called 'pioneer States' access to eight mining sites on the ocean floor. Even this did not soften the U.S. stand, which demands complete freedom to exploit deep sea riches.

The problem started in March 1981, when after eight years of delicate diplomacy the LST was about to be signed in New York. The incoming Reagan administration, under pressure from the U.S. mining interests, expressed 'serious doubts' about certain parts of the LST and insisted that the whole issue be 're-examined'.

Reagan sacked half of the U.S. delegation to the Law of the Sea conference, and appointed the chief lobbyist of the American mining corporations as the deputy chairman of the U.S. delegation to the conference. Reagan is deeply committed to big business, which believew that the seabed is its newest chance to accumulate unlimited wealth. Ideas of 'global revenue sharing', stipulated in the LST, and the formation of a trans-national mining company to compete with private commercial companies, are 'crazy' and 'dangerous' concepts because they will limit the companies' chances of plunder.

During the last year major western nations (U.S., Britain, France, W.Germany, etc.,) have rushed 'national' legislations through their parliaments allowing their governments to regulate and license exploration and commercial recovery of hard minerals from the ocean floor by their own citizens. Even the Russians passed a similar law last April.

After the miscarried conference in New York (March 1981), another session was held in Geneva (August 1981), but the Reagan administration failed to come forward with concrete proposals. New U.S demands (mainly 'free and continuous access' to the seabed wealth, abolition of the production limits and a guaranteed seat for the U.S. with veto powers, on the executive of the International Seabed Authority (ISA)) provoked heated arguments in the conference. Most of the delegations of the 160 States were convinced that the new American 'thoughts' could not be accommodated without unravelling the whole draft treaty, the formulation of which had taken eight years of compromise and negotiation. The American delegation clearly threatened that the U.S. would flout the

LST if its 'thoughts' were not accommodated, because the U.S. Senate would not ratify it. The main area affected by U.S. rethinking was about the arrangements governing the mining of manganese nodules, rich in cobalt, copper and nickel, which lie on the deep seabed and are estimated to be worth 'trillions of dollars'. The production limits were stipulated to safeguard the interests of the land-based producers of these minerals.

The Americans pulled out of the conference in Geneva last year, but returned to the New York session this year with the same demands. The overwhelming majority of the delegations refused to bow to U.S. pressure, and decided to go ahead with the draft that had taken nine years to prepare, with or without the U.S.

The LST regulates almost every human activity upon and beneath the oceans. It covers not only seabed mining, but also marine navigation, sovereign rights over continental shelves, and sea pollution control. The LST provides all coastal countries (in additon to the 12 miles full sovereign power) a 200 mile exclusive economic zone in which they can control fish and other resources. Ships are allowed to pass through and planes to fly over a country's territorial waters. Land-locked countries are ensured rights of access to and from the sea. Naval vessels are permitted to pass through strategic straits such as Gibralter and Hormuz. The LST also provides for an 'International Seabed Authority' (ISA) which will control all seabed mining, including its own, through an organization called 'Enterprise" (to be based at Jamaica) on behalf of all countries of the world. Private mining companies will be obliged to share their technology with the ISA at a fair price, and would have to allow half of their sites to be exploited by the ISA. Royalties are to be shared by all countries, including the land-locked ones. The general policies of the ISA will be fixed by an assembly of all member-states, but the real power will reside in a 36 member executive council. The U.S. having been unable to secure a permanent seat with veto' powers on this executive, now seeks a sufficient majority of western and pro-American countries to ensure the blockade of any action by the ISA unacceptable to western big business.

The so-called 'like-minded' western States (including the USSR), led by the U.S., are already planning to bypass the LST. They are seeking to conclude a 'mini-treaty', to be called the 'Reciprocating States' Agreement' which will 'harmonize' the 'national' legislations these States have passed on the subject during the last year. This seems inevitable, given the present belligerent mood in western capitals.

All mankind will be defenseless against this piracy by a handful of militarily-strong countries out for the biggest carve-up of the earth's resources since the scramble by the European powers for black Africa in the second half of the nineteenth century. Whole oceans will be effectively staked out by a handful of superpowers to plunder the untapped storehouse of strategic metals that lie on the deep-seabed. Six consortia have already been formed to exploit the ocean wealth; most are led by giant American companies.

The LST is a real test of the drive by the world's overwhelming majority for an equitable 'new economic order'. Its failure will demonstrate again that — behind the beautiful phrases of 'aid', 'development', 'co-operation', 'inter-dependence', 'North-South dialogue', — the brutal concept of 'might is right' still rules. The U.N. will be shown again to be an instrument of the superpowers to keep weaker States busy in futile polemics.

The LST is expected to come into effect in two or three years' time, when at least 60 countries ratify the treaty. Flouted by the superpowers, it will be 'mere ink on paper'.

Muslimedia, London 1982

CSO: 5200/5312

GOVERNMENT ATTEMPTS TO REVIVE FISHING INDUSTRY

Dakar LE SOLEIL in French 22 Apr 82 p 2

[Article by Abdallah Faye: "Maritime Credit: 650 Million Already Granted"]

[Text] Six projects totalling Fr 1.45 billion of investment have just been approved by the board of directors of the Senegalese Financial Company for the Development of Industry and Tourism (SOFISEDIT) which administers maritime credit, established by the government one year ago to breath new life into the fishing sector.

The contribution of maritime credit amounts to some Fr 650 million, or approximately 43 percent of the investment cost of these six projects.

Established in February of last year at the government's request, maritime credit initially totalling Fr 1.57 billion began its initial action last April, with the approval by SOFESEDIT of the following first two projects: the SURGEL Dakar and Ribero Companies. It was supposed to have kept moving by its own momentum to approve others.

The government's concern, in instituting this maritime credit was to endow itself with a tool for effective intervention in the profit of the fishing sector and of the economic operators developing in it.

Revival

Indeed, the government attaches a great deal of importance to the revival of fishing, which of necessity is undergoing the renovation of equipment and the setting up of infrastructures for processing and valorization of fishing products.

The maritime credit thus established will try to realize these objectives by giving assistance to nationals in order to complement that granted by the banking sector and the institutions established by the government in the past. Senegalese individuals and legal entitles may benefit from maritime credit.

The project must also be viable and fit into the government's orientations and objectives, within the scope of the action plan for fishing. The object is to promote a dynamic and profitable fishing sector.

Finally, the project submitted for SOFISEDIT's approval must deal with industrial fishing. In this respect, it should be indicated that there is special credit for small-scale fishing, administered by the Center for Assistance and Motorization of Canoes (CAMP).

Finally, through the expedient of Marine Credit, it is necessary to have an adequately equipped fleet which would make Senegal independent in the fishing sector with gradual discontinuance of fishing agreements. For the present, as the secretary of state for fishing explained, it would be an enormous loss to want to discontinue such agreements.

In any event, the state is doing the maximum to increase the financing of maritime credit in order to make it more effective. First there is a Fr 18 billion financing agreement which will be signed shortly with Mexico and which will be totally reassigned to SOFISEDIT in order to supply maritime credit. Next there is the benefit of the Spanish boat operation. The state, it will be remembered, had re-purchased Spanish boats which it reassigned to private individuals who were to reimburse it. For some time they have ceased paying, and the state is going to give them a new impetus to fulfill their obligations.

Henceforth, they will no longer pay the state directly, but SOFISEDIT, to whom these arrears have been reassigned to permit it to increase its means with a view to financing maritime credit. But while maritime credit is functioning quite well, on the other hand operating credit is having a few problems.

Lost Opportunity

Short-term credit enables shipowners to meet the necessary expenses for going to sea. The problem is that once returned ashore with their catches, they were immobilized for a rather long period, the time to market their production in order to possess the necessary money for refueling their ships. This could last between 60 to 90 days, and this period constitutes a lost opportunity to do business.

Neither the secretary of state for fishing nor the director general of SOFISEDIT has lost sight of this particularly important problem. The latter institution is in the process of conducting studies in order to adjust the instrument in order to make it truly operational.

For Robert Sagna, the working capital problem is a basic problem, because fishing boat skippers have even been seen to sell their cargos at sea in order to meet their expenses. Others were selling off the fish dirt cheap. It was necessary to react. But how?

By helping the true fishing professionals, who have given up everything to fish exclusively. Those who have built plants and are turning toward exportation. Because exportation is governed by rigid laws, it is necessary always to be in a position to meet demand and within the time allowed. This operating credit will start off as soon as possible, assures Mr Amath Samb, director-general of SOFISEDIT, because there is an urgent need for it. Up to the present, the economic operators developing in the fishing sector have been solving their problems with their customary partners, i.e., the commercial banks.

Once operating credit has been set up, the clients' account will be comiciled at SOFISEDIT in order to facilitate operations.

Initially, SOFISEDIT will loan the banks the financing necessary for operating credit while waiting to take over after the necessary reorganization of its structure.

Specially equipped for short- and long-term credits, it has to organize itself in terms of personnel and logistics as well as different financial resources in order to be able to set up commercial credit gradually. "If commercial credit is set up this year, we will take over during the next fiscal year," Samb promises. He hopes that this credit will succeed in being syndicated as is the case in the agricultural field.

And then, fishing is included in Rural Credit, the establishment of which has just been announced. Semi-industrial and small-scale fishing will be solely affected by this credit, Robert Sagna specified, industrial fishing belonging to SOFISEDIT's exclusive domain.

On the whole, according to him, what should be remembered is that SOFISEDIT has set up maritime credit quite rapidly, and its organization still remains to be perfected, among other things by recruiting personnel to manage it.

Investments

The future of fishing in Senegal depends in large part on investments. While on the level of the tourist sector, investments are bound to be surprising, the same will not be true of the fishing sector, where they must, however, continue.

The example of Japan is instructive in this respect. The leading world producer of fish with 10.752 million tons annually, this country is still continuing to invest in the sector. Because it has understood that if it failed to do so, its entire fleet would disappear. That is what happened to the Ivory Coast, whose fleet is virtually nonexistent. Witness the fact that the seven licenses granted to it by Senegal within the framework of the fishing agreement have not been utilized up to the present.

And once one knows that the total value of fishing to Senegal is some Fr 120 billion annually; that our country is the second leading producer of fish (345,000 tons) in Africa after Nigeria and the second largest consumer of fish in the world with 43 kilograms per capita per year; and that of the 70 million tons caught worldwide, 60 percent comes from the African coasts, he better perceives the urgence of breathing new life into a truly vital sector which needs to be revitalized. And it is to be hoped that it will be a long time before maritime credit is exhausted.

9380
CSO: 5200/5654

BRIEFS

ADMIRAL TUMER DISCUSSES EXPLOITATION--Ankara, 24 Jun (AA)--Commander of the Navy Adm Nejat Tumer has said that Turkey is obliged and "determined to exploit the seas surrounding her under the principles of equity." In a message to the 1982 conference of navigation, hydrography and oceanography services, coordinated by the navy, which met in Istanbul Wednesday, Admiral Tumer said it was necessary to conduct physical, chemical, biological, geological, geophysical and meteorological surveys in the seas in order to get to know all aspects of the surrounding seas. All cruises by research vessels conducted for this purpose would be "a manifestation of our determination to protect our rights and interests in the seas," Tumer added. [Text] [TA241005 Ankara ANATOLIA in English 0915 GMT 24 Jun 82]

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END

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Worldwide Report

LAW OF THE SEA

No. 204

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LEVCHENKO ON U.S. REFUSAL TO SIGN SEA LAW

LD101508 Moscow TASS International Service in Russian 0950 GMT 10 Jul 82

[Text] Washington, 10 July (TASS) -- TASS correspondent Yuriy Levchenko reports:

In California President R. Reagan officially announced that his administration refuses to sign the international convention on the law of the sea, approved on 30 April by representatives of 130 states at the third UN conference on the law of the sea. The head of the White House based his decision on the fact that this convention supposedly "does not meet the aims pursued by the United States."

The White House demarche is the culmination of efforts over many years by American monopolies and the ruling circles of the United States who serve them to wreck the drafting of this important international document, called upon to settle international cooperation is the use of the incalculable wealth of the world ocean for the good of all mankind. U.S. "big business" saw the convention, which declares that sea-bed resources are the "common property of all mankind," as a direct threat to its own plans for their rapacious and uncontrolled plunder.

At the very beginning of last year, following the instructions of the White House, the U.S. delegation at the United Nations blocked the adoption of a draft of the convention under the pretext of the "need for it to be studied carefully" by the new Republican administration. In January of that year the White House announced that the convention "does not suit" the United States and categorically demanded the inclusion into it of a draft of half a dozen "amendments," weakening its purpose and openly discriminating against the majority of participants in the conference. When diktat did not produce an effect and the draft of the convention was put to the vote, the United States delegation came out against its adoption.

As is clear from Reagan's statements, Washington's greatest fury is aroused by those clauses of the convention which envisage practical measures for setting up effective international cooperation in the exploitation of sea-bed wealth and its use in the interests of all countries and all peoples without exception.

In particular, Washington does not like the fact that control over the extraction of valuable minerals in international waters is handed over to an authoritative international body and that developed countries will be in the position of having to give effective material assistance to developing states by giving them the corresponding technology. As far as those provisions are concerned that relate to participation by the developing countries and the national liberation movements that are anathema to Washington in the revenues derived from exploitation of the wealth of the world ocean, these are regarded by American imperialists as quite heretical.

Observers consider the White House decision to be yet another attempt by American imperialism to place its narrow self-interest before those of mankind, and to impede the development of mutually advantageous international cooperation.

CSO: 5200/2095

USSR ACCEPTS ONLY HALF NEW ZEALAND FINFISH QUOTA

Christchurch THE PRESS in English 26 May 82 p 21

[Text]

PA Wellington

The Soviet Union has accepted only half of its 32,500-tonne fin fish allocation in the New Zealand fishing zone for this season.

The remaining 16,250 tonnes that "belong" to the Soviet Union are likely to be offered to Korea and Japan, says the Ministry of Agriculture and Fisheries.

The amount accepted by the Russians was virtually the same as its actual catch in past seasons, said the Ministry.

A spokesman for the Soviet Embassy said that the figure was a realistic one, considering the Soviet fleet's catching capacity and the difficult conditions. The Russians must make their catches far to the south of the South Island, an area notorious for high winds and rough seas.

"It is the Roaring Forties down there and it is very difficult fishing. Catching is limited to only a few months," the spokesman said.

The assistant director of the Ministry's Fisheries Management Division, Mr Tom Norris, said that the Soviet Union had asked for the remaining half of its allocation to be reserved for it. The request was likely to be declined.

"The normal practice is that the quantity of fish now taken up will be offered to the other foreign nations. The domestic fleet does not want it because it is all in area E," he said.

The fish would probably be offered to Korea and Japan, the two other nations whose boats were allowed to fish within the New Zealand 200-mile zone, as foreign-licensed fleets. Korea had already indicated that it would like more fish, said Mr Norris.

A spokesman for the Japanese Embassy said that Japan had not yet been approached by the Ministry. The embassy had not yet taken the matter up with its Government.

CSO: 5200/9097

JAPAN AWAITS DPRK MOVES ON FISHERY ACCORD

OW291211 Tokyo KYODO in English 1204 GMT 29 Jun 82

[Text] Tokyo, June 29, KYODO -- A government official said Tuesday Japan could do nothing but watch closely the steps the North Korean Government would take for extension of the current Japan-North Korea fishery agreement, set to terminate Wednesday. Japan has no diplomatic relations with North Korea at present.

The official was commenting on the North Korean failure to extend the agreement after the Japanese Government refused entry of a North Korean delegation into this country for negotiations on its renewal. He said North Korean authorities had at one time intended to send a delegation to Tokyo to start negotiations for renewal of the non-governmental fishery talks but later had a change of heart. Extension of the agreement might have been an effective card for political bargaining with Japan but the Pyongyang Government seemed to have given it up, he added.

CSO: 5200/2095

INDIA'S SEARCH FOR OCEAN RESOURCES DESCRIBED

Mining, Other Possibilities

Madras THE HINDU in English 18 Jun 82 p 8

[Article by B. S. Padmanabhan]

[Text] When in January 1981 the National Institute of Oceanography in Goa successfully hauled samples of polymetallic nodules from the seabed--a significant first step towards exploitation of seabed resources--few would have thought that in a year's time NIO would be gearing itself to make India the first developing country to enter the area of seabed mining. But this was what a party of pressmen saw during a recent visit to the Institute.

A chat with the scientists showed that the setting up of a separate Department of Ocean Development and the Government's measures to build up material, manpower and technological capability have given a fresh impetus to the project initiated by the Institute in 1978 to exploit deepsea manganese nodules. The adoption of an international convention on seabed mining at the last session of the U.N. conference on the Law of the Sea has imparted a sense of urgency to this project as the prospects of India securing seabed mining rights under the convention will depend to a large extent on its success.

"Pioneer Investor"

The international convention has accorded India the status of "pioneer investor"--the only developing country to get this status. The others to get this status are: France, Japan, Soviet Union, and four consortia of industrialised States. India has now to show to the satisfaction of the International Seabed Authority that it has spent at least $30 million (Rs. 27.9 crores) before January 1, 1983 on seabed mineral resources exploration and present two alternative sites of 140,000 sq. km. each, having equal commercial value, in the Indian Ocean to the preparatory commission of the Authority which is expected to start functioning by May-June 1983 after the convention is ratified by the required minimum number of countries.

India is keen to beat this deadline and make a successful bid for the mining rights in one of the two sites. The NIO's activities are attuned to this objective.

According to Dr. H. N. Siddiqui, head of the division of Geological Oceanography, the deep sea manganese nodules project was conceived as an interlaboratory effort in which a number of R and D institutions were involved, with NIO playing the leading role. Following the hauling of samples of nodules during the two cruises in 1981, three cruises were organised between March and May this year in the central Indian Ocean. The nodules range up to 8.5 cm in size and more than 200 g in weight. Not only nodule samples but also baseline data on environmental parameters were collected during these cruises.

In the coming months, exploration will be done in other areas in the Indian Ocean with sophisticated instruments like deep underwater television cameras, deep tow survey equipment and boomerang corers.

Prime Areas

The Indian Ocean is estimated to have 15 million sq. km of area covered by manganese nodules compared to 23 million sq. km in the Pacific and eight million sq. km in the Atlantic Ocean. It is also estimated that the prime areas suitable for first generation mining will be around 0.50 million sq. km in the Indian Ocean, compared to 5.2 million sq. km in the Pacific and 0.85 million sq. km in the Atlantic. The total quantity of manganese nodules in the seabed in the Indian Ocean is estimated at 150 million tonnes.

Based on the data collected during the cruises, NIO hopes to identify prime areas for mining in the Indian Ocean. This, however, cannot be done by the date set under the international convention with only one research vessel, it has been decided to charter two more vessels to supplement the existing research vessel "Gaveshani". The three vessels will undertake extensive cruises after the monsoon to comb the Indian Ocean for seabed mineral resources and to demarcate the promising areas.

Official sources are confident of India registering its claim for mining rights well in time. Steps for commercial exploitation by mining and metallurgy will follow. A separate organisation is likely to be established for this purpose as NIO, being a research institution engaged in a wide range of oceanographic studies, cannot be saddled with the responsibility of the commercial exploitation of the seabed mineral resources.

Besides looking for manganese nodules, NIO has been playing an important role in the development of offshore oilfields. Its work includes marine geological and geo-physical surveys, which will help in designing platforms, selecting submarine pipeline routes, locating well heads, checking the depth of burial of the pipelines laid. From 1976 until now, NIO has carried out over 1300 line km of surveys for ONGC.

It has also carried out surveys for development of ports and harbours besides undertaking detailed studies in the exclusive economic zone which have shown that the lagoons off Lakshadweep abound in calcareous sands useful for making cement and that the Konkan coast abounds in ilmenite.

Another of its activity is underwater archaeological survey which was initiated last year at the instance of Tamil Nadu to locate ancient towns submerged in the ocean. Carried out 35 km off Nagapattinam the survey revealed some circular and rectangular structures under the sea. A full report will be presented to the Tamil Nadu Government soon. After that a follow-up survey will be carried out.

The ocean is also rich in fish and the NIO's Biological Oceanography Division is engaged in studies to improve the yield and catch. According to Dr. T. S. S. Rao, head of the division, the annual fish catch rose from 0.5 million tonnes in 1947 to 1.5 million tonnes in 1971. After that it was stagnation or declension.

But NIO studies have shown that the annual catch can be increased to six million tonnes. For this, large-sized combination trawlers are necessary. NIO put the fish requirement of the population by 2000 A.D. at 11.4 million tonnes and has proposed a plan for aquaculture in coastal areas which have two million hectares of brackish waters.

The plan envisages the setting up of at least one "aquaculture estate" in every maritime State as a small scale industry by graduates in biology and fishery sciences under the auspices of the National Science and Technology Entrepreneurship Development Board. To begin with, a detailed project has been prepared for forming such an estate in Goa.

Preparing drugs from marine plants and animals, controlling marine pollution and utilisation of ocean energy are NIO's other activities. The Chemical Oceanography Division has identified anti-fertility, anti-viral and analgesic activities in some corals and seaweeds of Lakshadweep and Andaman coast and these are now being screened at the Central Drug Research Institute, Lucknow. Accoridng to Dr. C. V. G. Reddi, head of the division, it will take two or three years before these can be commercially exploited. So far 106 species of marine animals and plants have been studied, of which 40 have been found to hold promise from the bio-medical point of view.

The marine pollution control project is to study the character of estuaries to ascertain the extent to which the various rivers pollute the ocean. The rivers chosen for study are the Ganga, the Mahanadi, the Godavaria, the Krishna, the Cauvery, the Narmada and the Tapti. For the first two rivers studies have been initiated at Hooghly and Paradeep respectively. "Gaveshani" will be near Madras next week for an east coast cruise to collect data on pollution. According to Dr. Sen Gupta, in charge of the project, NIO had already carried out studies off Madras coast and found the water highly polluted.

Energy from Waves

In the field of ocean energy, NIO has developed a laboratory model of plant for converting ocean energy into power and has proposed to set up a one-megawatt plant off Lakshadweep in collaboration with IIT, Madras. It has also designed gadgets to tap the wave energy and thereby protect the shores from erosion due to waves. Its wide range of activities made it take a leading role in the expedition to Antarctica last year where it has left behind a data buoy, developed by its scientists, to function as an unmanned weather station.

According to Dr. V. V. R. Varadachari, acting Director of the Institute, regional centres are proposed to be set up at Madras, Port Blair and near Calcutta besides those at Cochin, Bombay and Waltair. Each centre will concentrate on a particular aspect of oceanographic studies. The Madras centre will specialise in ocean engineering and ocean energy studies off the Tamil Nadu coast.

To build up manpower, NIO started a training programme on the lines of the one in the Bhabha Atomic Research Centre. The first batch of 50 scientists in different disciplines has been recruited and they will be absorbed in the Institute after six months' training.

Oceanographic Vessel Described

Bombay THE TIMES OF INDIA in English 19 Jun 82 p 15

[Text] BOMBAY, June 18--INDIA'S oceanographic research vessel, R. V. "Gaveshani", has completed 100 cruises. This was disclosed to pressmen by Dr. V.V.R. Varadachari, acting director of the National Institute of Oceanography (NIO), Goa, recently.

The vessel, launched in January 1976 by the NIO, is one of the best-equipped oceanographic vessels in the world. It has sophisticated equipment for all disciplines of oceanography.

Pressmen who visited the NIO were taken aboard the vessel. It is 68.33 m. long and 12.9. m. broad and can accommodate 19 scientists and 45 ship's officers and crew. It has four laboratories covering an area of 134 sq. m.

The ship has been stabilised against rolling with the help of passive tank stabilisers. It has a photographic room, a conference room and a library. The laboratories are equipped with spectrophotometer, turner fluorimeter, guildline laboratory salinometer, Geiger Muller counter, wave recorder and expendable bathythermograph.

For data and sample collection it has Nansen and Niskin bottles, sound velocity and current meters, submarine photometer, zooplankton nets, corers, grabs, dredges etc. Navigation instruments like Omega, Decca surveyor, Gyrocompass, Radars, echosounders and satellite fixing systems are also available.

In her 100 cruises, "Gaveshani" has performed many tasks. The surveys undertaken have provided a lot of data and information which have increased considerably the knowledge about the seas around India. Surveys for submarine pipeline routes, offshore oil fields, mineral deposits, living resources, monitoring of oil pollution and location of suitable sites for effluent discharge are some of its achievements.

At the request of the ONGC, it has carried out surveys in the Bombay High area and off Gujarat. The surveys--first time by an Indian vessel--have saved valuable foreign exchange.

Mining ocean wealth got a boost in January 1981 when "Gaveshani" collected "manganese nodules" from the Indian Ocean. India is the first developing country to achieve this breakthrough. As these nodules contain nickel, cobalt and copper besides manganese and iron and a trace of gold, the discovery of nodules has proved to be of economic importance.

Apart from this, "Gaveshani" obtained some baseline data on the physics, chemistry and biology of the deep sea. Rich fish and prawn grounds off Gujarat, Pondicherry and Laccadives have been located. The existence of a coral reef off Malvan and other areas along the west coast has also been identified.

To monitor pollution in Indian waters, "Gaveshani" undertook a couple of projects. Physical, chemical and biotic factors were examined to suggest suitable discharge points for industrial effluents and sewage.

Role in Monex

In 1979, the Central government sponsored a programme of Monsoon Experiment (Monex-79), the first global weather experiment. "Gaveshani" undertook six cruises in the Arabian Sea and the Bay of Bengal and collected vital oceanographic and meteorological data from 534 stations.

Nearly two-thirds of the world's oil is transported through the Arabian Sea. During a cruise along the oil tanker route, large quantity of tar balls were identified in the sea between 37 and 168 nautical miles from the west coast. These might affect the living resources of the Arabian Sea "Gaveshani" has plans to survey the ares not covered so far.

The facilities available on board the vessel will be extended to train young scientists. "We need many more such vessels. A new vessel is expected from West Germany in March 1983. A vessel with Danish assistance is expected in 1984. In 1985, a French vessel will arrive. All these will prove very helpful for us," says Dr. Varadachari.

The NIO has plans to have regional centres in Madras, Andamans and Calcutta. It has already centres in Cochin, Bombay and Visakhapatnam. The Bombay centre is dealing with the pollution aspects. So far, the NIO had handled Rs. 70-80 lakhs worth of sponsored projects.

CSO: 5200/7043

SIGNIFICANCE OF DEVELOPMENT OF SEABED NOTED

Calcutta THE STATESMAN in English 24 Jun 82 p 8

[Article by S. Sahay]

[Text] The Government of India's decision to take Delhi journalists to Goa and explain to them what it has been doing to exploit the deep sea-bed minerals in the Indian Ocean is in sharp contrast to its earlier secrecy (particularly where its nationals were concerned, for the outside world did know about it) when it scooped up a handful of mineral nodules from the Indian Ocean. Apparently what has encouraged it to court publicity (in its usual confused way) is its diplomatic triumph at the concluding Law of the Sea negotiations, where it managed to get recognized as "pioneer investor" country.

The triumph is all the more creditable because the "pioneer investor" idea had been mooted to placate the USA, which had been finding fault with the draft provisions on deep sea-bed mining. It was surmised by the Conference Chairman, Mr T. T. B. Koh, and First Committee Chairman, Mr Paul Bamela Engov, that if the USA and other industrialized nations could be assured unfettered rights to exploit the deep sea-bed resources for the first 30 or 40 years, then the USA would not be averse to signing the convention. Even though this was not to be, the USA choosing not to vote for the convention, India did demand and secure for itself the status of a "pioneer investor".

Investor

As the Draft Law of the Sea Convention stands today (its phraseology though not the contents has still to be polished), four countries and four entities have been granted the status of pioneer investor. The countries are France, Japan, India and the USSR, including the State enterprises possessing the nationalities of these countries. The entities are organizations possessing Belgian, Canadian, West German, Italian, Japanese, American and British nationalities or a combination of them.

In order to acquire the status of pioneer investors these States and entities must show that they have spent before January 1, 1982, $30 million in pioneer activities not less than 10% of which must have been spent on location, survey and evolution of the area intended to be exploited. Secondly, pioneer investor nations and those to which the entities stated above belong must have signed the convention.

Other developing countries too can acquire this status if they can show that they have spent $30 million in similar activities by January 1, 1985 and have signed the convention.

What is the purpose of devising this pioneer status concept? The idea is to allow the countries having the requisite will and technology to go ahead with the job of preliminary exploration and not wait until the convention formally comes into being 12 months after 60 States have deposited with the U.N. Secretary-General their instruments of ratification or accession. Hence also the device of a preparation commission, charged with certain powers and functions in relation to the establishment of the international sea-bed authority. But even this commission can come into being only 60 to 90 days after 50 States have signed the convention.

What future does the Law of the Sea Convention have? Will it really come into being? Even if it does, will it be a viable proposition?

Opions

The first point to be emphasized is that endorsement of the convention, at this stage, by a country does not mean automatic adoption nor does rejection imply automatic withdrawal from the convention. On April 30, when the decision to adopt the draft convention was taken by an overwhelming majority, the countries that opposed it were Israel, Turkey, the USA and Venezuela. Among the countries that abstained were Belgium, the two Germanies, Italy, the USSR, the U.K., Poland, Spain and Thailand. Among the countries that voted for it were France, China and Japan. While it can be reasonably assumed that most of the Group of '77 will sign the convention, thus bringing the convention into being, countries such as China, France and Japan have kept their options open. The same goes for the USA and the USSR.

But, assuming that the convention is ultimately signed by the requisite number of States, what will be its legal standing? Some experts are of the view that the Law of the Sea Convention is to be a law-making treaty, as distinguished from contractual treaties on the lines of the convention on diplomatic relations or that on the law of treaties. This is clear from the title, preamble and the content of the convention as also from the language used. It is emphasized thatthe convention actually condifies and incorporates the existing international law as accepted through practice, as well as progressive development.

However, certain parts of the provisions are applicable only to those nations that sign the convention. The provisions on the international sea-bed authority, and on membership make this amply clear.

Experts further emphasize that as far as the adoption of the convention in April is concerned it has no legal consequence except as an indication that the rules and norms laid down will be acceptable to the overwhelming majority of the States. However, when the convention is actually ratified in the prescribed manner, it will be binding on all, including the countries that refuse to ratify it. The reason is that when the convention comes into being it will constitute the law on the subject and all the activities concerning the sea-bed will be governed by the terms contained.

However, in the absence of participation by the industrialized States, exploitation of the deep sea-bed by the International Sea-bed Authority will cease to be a workable proposition. This is so because the obligation to provide the finances, the sites and the know-how rests with only those countries that sign the convention. And since financial contribution is on the lines of the U.N., the USA and other industrialized countries hold the purse strings. Contribution of other funds or know-how from all the Third World countries can only be a pittance.

And yet, it would be in the interest of developing countries to ratify the convention. After all it is the most elaborate attempt ever tried to codify every aspect of the sea. It covers territorial sea and contiguous zone, straits used for international navigation, archipelagic States, continental shelf and high seas. It covers exclusive economic zones, regime of islands, and enclosed and semi-enclosed seas. It seeks to protect and preserve marine environments and promote marine scientific research. It ensures right of access to landlocked States. It seeks to regulate the mining of the deep sea-bed area. It provides for settlement of disputes. Not all the provisions can be considered satisfactory but it needs to be remembered that it constitutes a package deal fashioned over more or less a decade.

Legislation

As things stand, the USA and the other industrialized nations cannot pick and choose. They cannot subscribe to some aspects of the convention and reject others. Thus if they do reject the convention, they shall also have rejected such provisions as the innocent passage of ships through the straits, in which they have vital stakes. As far as the straits are concerned, the extension of the territorial sea limits to 12 miles will imply most of the sea area. The super Powers may try to prove that might is right, but then they shall have committed an illegality. This itself will have its own implications. However, what cannot be failed to be noticed is that both super Powers have not only reservations about the convention but also have antional legislation on exploitation of deep sea-bed minerals.

As far as India is concerned, the pioneer status clears the field for it in the Indian Ocean. The industrialized nations have concentrated their attention on other seas. India has a role to play in the Indian Ocean area and must seek to discharge its responsibility. It is encouraging to find that there is a move by Sri Lanka to join hands with India in sea-bed exploitation. Other developing nations may yet show interest.

The 200-mile economic zone and the 150,000 square miles to which it is initially entitled to look for sea-bed minerals open up new horizons. So do research work in the Antarctic. While the creation of a Department of Ocean Development is a step in the right direction a lot more needs to be done in having the requisite men and machines. Also there must be a more imaginative attept to create public opinion by making Indians aware of the potentialities of the sea, of the new riches to harvest.

CSO: 5200/7045

VICE PRESIDENT OPENS DEEP-SEA FISHING PARLEY

New Delhi PATRIOT in English 24 Jun 82 p 7

[Text] **VICE-PRESIDENT M. Hidayatullah on Wednesday called for development and modernisation of deep sea fishing industry in the country without forsaking the interest of 1.9 million coastal fishermen who depend on the sea.**

Inaugurating a three-day international conference on deep sea fishing in Delhi the Vice-President said the endeavour should be to link the modernised marine fishing with the traditional methods thereby affording benefits to the traditional fishermen and at the same time seeking their active participation in the total effort, reports UNI

He said India could become one of the major fish producing countries in the world with an estimated output of more than 4.5 million-tonnes of marine fish,

Exploitation of deep sea regime could be a dependable base for a major industry with possibilities of multi-level development, potential in the country.

Union Agriculture Minister Rao Birendra Singh, in his keynote address, also warned against neglecting the interests of small fishermen in the development of deep sea fishing.

Development of deep sea fishing industry, Mr Birendra Singh said, obviously would have a sizeable impact on the economy of the country. But my concern would be to ensure that the material advantages do not remain concentrated in certain pockets of rich and elite society. I wish the toiling traditional fishermen of the coastal region are not kept devoid of the benefits from the envisaged development and modernisation of the marine sector.'

The conference is organised by the Association of Indian Fishery Industry and sponsored by the Union Ministry of Agriculture in association with the Marine Products Export Development Authority.

Delegates from the Philippines, France, Indonesia, New Zealand, United Kingdom, and Singapore are attending the conference besides fisheries scientists and experts from this country.

The Vice-President stressed the need for a judicious exploitation of non-renewable resources in the sea and a rational approach in the exploitation of renewable living resources. 'While developing ocean resources, I hope we will not forget protection of the environment from pollution,' he said.

Mr Hidayatullah said while the growth in export of marine food products was one of the most remarkable aspects of the country's economy, its share in the world trade of marine products was still small, despite the very high potential.

He suggested raising a cadre of efficient deep sea fishermen through proper training programmes for the Indian coastal fishermen.

Mr Birendra Singh regretted that the exploitation of the country's marine resources at present was limited only to one third of the total estimated potential. Of the present production of 1.55 million tonnes from the marine sector, about 67 per cent was contributed by the traditional sector, about 32 per cent by the mechanised boat sector and only one per cent by the deep sea fishing sector.

The Minister said while the Government was considering to redeem its pledge for faster developement in the marine sector, much would depend on the response of the Indian entrepreneurs.

He could not understand, Mr Birendra Singh said, how the entrepreneurs could not make deep sea fishing a profitable business, although the Government of India offered such facilities which probably were not available anywhere else in the world.

The Minister said the Government was considering to encourage state fisheries corporations for deep sea fishing.

Another problem which this country faced was poaching by fishing vessels from other countries. Legislation was enacted to check this poaching.

While this country was ready for joint ventures and exploitation of marine resources in cooperation with other countries, it was essential that others also stuck to the rules of the game, Mr Birendra Singh said.

CSO: 5200/7046

SKIPJACK TUNA CATCH IN LOCAL WATERS LOWEST IN 5 YEARS

Auckland THE NEW ZEALAND HERALD in English 26 May 82 p 12

[Text]

The skipjack tuna catch in New Zealand waters this season is likely to be the lowest for five years.

By the time the seven-month season ends this month the catch could be 5000 tonnes lower than the normal harvest of up to 9500 tonnes.

Skipjack failed to show up off North Island coasts in the numbers expected during January, and foreign fishing vessels left to fish elsewhere.

New Zealand shares its skipjack resource with other Pacific nations because of the migratory nature of the fish.

Dr George Habib, of the Ministry of Fisheries research division, said fluctuations in the abundance occurred because skipjack was so widespread.

"We are only one little corner of a very large picture." he said.

Six New Zealand-owned vessels fished for skipjack during the season and although 11 joint-venture fishing licences were issued to New Zealand fishing companies, only five United States joint-venture seiners arrived.

Because of the poor start to the season, four of the American vessels left New Zealand waters by February. The fifth made a successful trip when fishing improved in March.

Joint-venture tuna fishing is hindered by regulations, which mean the vessels cannot fish within 12 miles of the New Zealand coast.

The fish usually surface within the zone every two years giving fishing companies only a 50 per cent chance of successful annual seasons.

"Given the uncertainty and the large costs of running the vessels, people cannot hang about for several months in the expectation the fish will show up outside the 12-mile zone," Dr Habib said.

The American vessels had now found waters around Papua New Guinea were a viable alternative to fishing off New Zealand.

Successful catches were guaranteed off Papua New Guinea, Dr Habib said.

"They do not bother coming down here because of the limit on where they can operate."

CSO: 5200/9098

FOREIGN FLEETS BLAMED FOR DECLINE OF INSHORE FISHERY

Christchurch THE PRESS in English 16 Jun 82 pp 28, 29

[Text]

The day of the little man in fishing has gone, says the Christchurch entrepreneur, Mr Kypros Kotzikas.

Boat owner, exporter, merchant (he is the managing director of United Fisheries, Amalgamated Fisheries, and Blenheim Fisheries), Mr Kotzikas describes himself as a trader.

"The 50-footers used to go out for two or three days at a time, but now they are working inshore," he says (four 50-foot boats of his are based at Lyttelton). This has led to pressure on flat-fish resources.

Mr Kotzikas blames the foreign boats for the decline of the inshore fishery, declining resources of tarakihi and gurnard being left inshore off Canterbury and fewer groper and ling being caught each year.

He sees the big future as being in the deep-sea resources. At present he is buying orange roughy from joint-venture boats. This and other deep-water fish such as the hake and blue warehou are good marketing prospects compared with the red cod and barracouta which are the main catch of the larger inshore boats at present.

But New Zealand should have exclusive fishing rights in its 200-mile zone, he believes.

"At this stage we are competing with too many foreigners. We should have exclusive rights for 10 years, but perhaps with some overseas expertise.

"The South Island is a good base for deep-sea fishing, and I know we could sell the fish overseas."

Mr Kotzikas is flying chilled fish to Australia two or three days a week; the amount is limited only by the air-cargo space available.

He gets a higher return on chilled fish in Australia than on frozen fish sent by ship. A small amount of his chilled fish is going to Europe, and snapper is being airfreighted there from Auckland.

This is where he believes the future lies: in high quality chilled fish flown to markets where it can command good prices.

"Overseas, New Zealand fish, especially that from the deep sea, is regarded as good quality."

But to build up market volume, steady supplies are needed. These will come from big vessels which are less dependent on the weather than the inshore fleet.

Apart from dictating when the boats can go out, the weather changes inshore salinity, both by rivers in flood and rainfall. This affects catches.

Mr Kotzikas sees the backbone of New Zealand fishing becoming 10 to 15 150-foot to 200-foot vessels (the present cost of these is $5M to $6M each), perhaps with three or four fishing off Canterbury.

The traditional inshore fleet of 40ft to 50ft craft will survive, with smaller catches, compensated for by higher prices for the fish.

As a whole, he believes the fishing industry can be an export earner for New Zealand second only to meat production.

However, Mr Howard Shadbolt, managing director of Independent Fisheries, processer and boat owner, sees capital as the big hurdle for deep-sea fishing.

"You pay $1¼ million for an 85-footer, and in deep-sea terms that's just a canoe," he says.

According to the Ministry of Agriculture and Fisheries, about 20 foreign vessels and 200 joint-venture vessels are working in the 200-mile economic zone at present.

No big foreign fleets have been fishing inshore off Canterbury since 1978.

Canterbury's traditional inshore boats of 40ft to 50ft worked to the 100-fathom line on the edge of the Continental Shelf until the joint-venture and foreign vessels came on to the scene.

When these bigger boats arrived, the 40ft to 50ft class found it could not compete for the fish this far out, and began almost exclusively working the belt within 10 miles offshore, where the smaller craft to 30ft had been dominant.

Now the foreign vessels have gone from the zone off the South Island east coast. The joint-venture vessels have been pushed out to an inner limit of 25 miles from the coast, "and we're working like hell to get them off the Continental Shelf," says Mr R. M. Brown, chairman of the Lyttelton Fishermen's Association.

The Lyttelton fishermen helped to originate the moratorium. At the 1981 conference of the Federation of Commercial Fishermen there were many remits from associations about what was felt to be the overfishing of the inshore grounds. A composite remit was drawn up calling for a moratorium, and a moratorium had been mentioned by the Lyttelton group.

Mr Brown sees no problems from New Zealand's own growing big-trawler fleet as long as it stays well out.

Life hasn't been all against the tide for the fishermen. Better equipment is helping efficiency. His boat, the 50ft Ida Marion, has an automatic pilot, allowing the crewman who would formerly have been at the wheel to be working on deck. It has a radar which allows the vessel to go out in poorer visibility. There are two sounders, one of which helps to find schools of fish.

"We're doing our damndest to catch them: "I'd hate to be a fish today," he said.

For fishermen who have been prudent and planned ahead such equipment is beneficial. But it is a problem for some. Sideband radios are now mandatory, and fishermen have known for a number of years that this would soon be the case. But now that the authorities are insisting that craft carry them, the $3000 or so for each set is hurting some owners.

Mr Brown's picture of the future is one in which there will be fewer fishing craft working off the east coast to the 100-fathom line, many having been forced out by rising costs.

But he believes the good fisherman has a good chance of surviving. The good fisherman is the man who can work out his costings, has the drive to go out fishing at every opportunity, who looks after his boat and keeps his gear in good order and up to date, and who has developed a feeling for fishing ("it's a hunting game," he says).

The importance of the human factor is also emphasised by a man whose job is assessing the potential of fishing ventures.

"The physical input is a big thing in fishing. You can't make money tied up at the wharf on a good day," says Mr Kevin Wilson, Senior Appraiser with the Rural Bank in Christchurch.

Maintenance is another important factor, he says. This applies not just to the engine, but to the fishing gear and the hull.

Fuel costs have hit fishermen hard. Once, perhaps 10 per cent of a fisherman's turnover went on diesel; now it will be as high as 30 per cent, and of course, the turnover is much higher.

Nets have to be reslung each year and the ropes used are made from an oil product, and have also been rising with the price of fuel.

In all, 371 fishing boats are registered at Lyttelton, but 85 per cent of these are 10 metres or less, and 30 per cent are less than five metres.

Most of the catch landed at Lyttelton is from trawlers in the 40ft to 60ft class. Some craft under this size have fitted small trawl gear and a few boats are set netting.

At Akaroa seven or eight trawlers and about 20 smaller boats seek mainly rock lobster (the transport costs are against wet-fish catching), with a little set-netting and some line fishing.

Between the Waimakariri and Scarborough, about a dozen hardy tiny boats from a registered fleet of about 40 still do seasonal set-net fishing. They are trailer-launched.

A fleet of 15 to 20 vessels, smaller because of the bar, works from Motunau, mainly taking rock lobster, but there have been some set-net experiments.

A local class of boat is evolving at Kaikoura, according to Mr R. V. Reid, the regional fisheries officer with the Ministry of Agriculture and Fisheries. It is of about 30ft, fast, and a better sea boat than earlier vessels. It is ramp launched.

Since the control of the rock-lobster fishery, many Kaikoura fishermen have taken up set netting. Vessels of 90ft and more from Nelson and Wellington trawl further off the coast, and in the last few seasons there has been some seining.

About 50 boats are working from the Chathams rock-lobster ground; virtually the only wetfish landed is for bait.

Timaru is a strong fishing port. About 50 boats of the traditional 40ft to 50ft inshore class and a few bigger vessels make up a fleet that ranges the east coast from Akaroa to the southern tip. Virtually no rock lobster is landed. Timaru is basically a trawler port.

CSO: 5200/9099

COLOMBIA'S LEMOS SIMMONDS CRITICIZES U.S., VENEZUELAN STAND

PA120305 Paris AFP in Spanish 1654 GMT 11 Jul 82

[Text] Bogota, 11 Jul (AFP)--Colombia has criticized Venezuela's position in refusing to ratify the Law of the Sea signed by 130 countries, whose approval signifies the fulfillment of an old aspiration to harmoniously regulate the exploitation of maritime wealth.

Colombian Foreign Minister Carlos Lemos Simmonds criticized the stand of the United States and Venezuela against this international instrument but expressed satisfaction at the overwhelming support by the majority of the Caribbean nations in facilitating solutions to current maritime conflicts.

"The treaty on the Law of the Sea, whose approval was achieved with very important participation by Colombia throughout the initial debates, is a fundamental document for the future, above all for Third World or developing nations," he said.

He added that "the announcement that the United States will not sign it is regrettable, because we expected more understanding and flexibility from that country on issues of such importance. Now we need only to confirm what position Venezuela will adopt with regard to it."

Lemos Simmonds said that for Venezuela the treaty would mean having to accept mandatory international mechanisms for the exploitation of maritime resources and the solution of the many conflicts Venezuela has pending with Colombia, Trinidad and the Netherlands Antilles, several of the Caribbean islands and the French Antilles.

The Colombian diplomat stressed that"everything indicates that the Venezuelan Foreign Ministry does not recognize the new mechanisms that merged from that Law of the Sea; hence, its decision not to approve it, expressing solidarity with the United States."

CSO: 5200/2097

MANAGUA RADIO CRITICIZES U.S. LAW OF SEA STANCE

PA110409 Managua Radio Sandino Network in Spanish 1200 GMT 10 Jul 82

[Editorial by AGENCIA NUEVA NICARAGUA correspondent (Roberto Moreno): "Once Again the United States Against International Law; This Time It is the Case of the Seas"--read by announcer]

[Text] The Reagan administration has announced that the United States will again reject the Law of the Sea that has been approved by 130 countries to protect the maritime resources of the less developed countries.

On several occasions the United States has refused to recognize the rights of nations to sovereignty over an area of 200 nautical miles, as stated in the law signed late in 1980.

While Washington considered the law an instrument that limits the freedom of private companies to exploit maritime resources, the Third World countries decided to create the law to protect the wealth of the ocean floor near their national territories from exploitation by large consortiums.

During the third UN Conference on Maritime Rights in 1974, Mexican President Jose Lopez Portillo said that the new Law of the Sea being studied is nothing more than another demonstration that the Third World has stopped being a passive observer in international relations and has become an active participant.

Even though more than 100 countries of the world support the Law of the Sea, the United States has continued to sail the seas and expllit the riches of the poorer countries, ocean floors for the benefit of companies that make enormous profits from the sea.

Militarily, Washington denies the existence of territorial seas, which allows it to introduce its gunboats threateningly almost to the coasts of sovereign nations, as happened in northern Nicaragua just recently.

The law also restricts the sale of technology for oil exploration in the ocean subsoil, and replaces foreign exploitation of maritime resources with state exploitation whose profits benefit of the nations.

The refusal of the United States to sign the law currently accepted by more than 100 countries once again demonstrates that the Third World countries and the United States have conflicting and antagonistic interests.

Washington's arrogant attitude toward maritime sovereignty has reached the point where it uses economic blackmail to try and force the smaller nations to open their seas to plundering by transnationals. This happened in Costa Rica and other Latin American countries, which were faced with economic sanctions by the United States because they captured North American tuna boats fishing in their countries' jurisdictional waters.

The refusal of the United States to recognize the validity of the law is interpreted as a new declaration of war against the Third World, since the United States will continue to allow its civilian and military ships to transit freely along the coasts of any country, challenging the laws established by the nations.

CSO: 5200/2091

SEA LAW GROUP URGES MARITIME PEACE, SECURITY

PM290903 Moscow SOVETSKAYA ROSSIYA in Russian 18 Jun 82 p 3

[Correspondent A. Mozgovoy interview with Doctor of Legal Sciences A.L. Kolodkin, chairman of the Soviet Law of the Sea Association and vice president of the International Maritime Committee: "Reliable Security for the Oceans"; date and place not specificed]

[Text] A general meeting of the Soviet Law of the Sea Association and an international symposium on the law of the sea in which a number of socialist countries' scientists participated and which were held in Moscow were devoted to topical legal questions of the use and study of the world oceans. SOVETSKAYA ROSSIYA correspondent A. Mozgovoy met with Doctor of Legal Sciences A.L. Kolodkin, chairman of the Soviet Law of the Sea Association and vice president of the International Maritime Committee, and asked him to describe the problems connected with the exploitation of the world ocean.

The scientific and technical revolution, A.L. Kolodkin said, has opened up tremendous opportunities for mankind in the sphere of the comprehensive use and study of the world ocean and the assimilation of its resources. The volume of maritime passenger and freight transit is increasing. The peoples' interests require an increase in the marine products industry. Year by year scientific research into the ocean broadens, and measures are formulated and implemented to reduce pollution.

Fruitful international cooperation in opening up the world ocean is inconceivable without implementing the principles of peaceful coexistence, pursuing the policy of detente and ensuring the peoples' security. As is well known, there are vast expanses of open sea which are not subject to states' sovereignty and control.

The United States and its allies are trying to exploit this factor for the unrestrained militarization of the oceans and the predatory exploitation by monopolies of the sea's riches. This is why measures must be taken to block imperialism's aggressive aspirations.

The CPSU and the Soviet state are paying considerable attention to the constructive resolution of these problems. The CPSU Central Committee report to the 26th party congress stressed the urgent need "to begin the very important process of reducing the military presence in various regions of the world ocean." This argument was further developed in Comrade L.I. Brezhnev's speech at the 17th Congress of the USSR Trade Unions. Our country has called for agreement to be reached on the mutual limitation of naval actions operations and for confidence-building measures to be extended to the seas and oceans, particularly those regions through which the busiest sealanes run, so that in the near future the largest possible area of the world ocean should become a peace zone. These initiatives were widely understood and approved by the international public. As USSR Foreign Minister A.A. Gromyko noted in his speech at the UN General Assembly's second special session on disarmament, "the United Nations must advocate that the arms race spiral not extend into the expanses of space or the depths of the world ocean," since the significance of these spheres for the future of all humanity is steadily increasing.

The USSR and other socialist community countries are playing an active role in all the international organizations connected with problems of the utilization of the world ocean. Graphic manifestation of the Soviet Union's cooperation with other states was provided by its constructive participation in the many years of preparation of the new all-embracing Law of the Sea Convention adopted on 30 April this year.

The West frequently and very loudly discourses on international law and the need to observe it. In practice, however, the imperialist states comprehensively flout or ignore international law, including maritime law. We are all witnesses to the Ango-Argentine conflict over the Falkland (Malvinas) Islands. London has resorted to colonialist methods of "gunboat diplomacy" and arbitrarily declared not only the zone around the archipelago but also vast expanses of the South Atlantic closed to other countries' ships and aircraft. These actions are contrary to the 1958 convention on the high sea and the generally recognized principle of freedom of navigation. Britain's South Atlantic blockade has considerably harmed international trade and economic ties. Because of the threat of being sunk, scores of tankers, dry-cargo ships and fishing vessels are forced to stand idle in port. In addition, even British shipowners have made a loss. As THE GUARDIAN has reported, they have lost 22-25 percent of their business. Thus it is that such "sanctions" which on U.S. initiative have become "fashionable" in the West also hit their organizers. I should point out that at one time British lawyers, including as great an authority on maritime law as Prof George Schwarzenberger, deemed the U.S. maritime blockade of Cuba an illegal act.

Of course, London is well aware of all the legal niceties. Consequently it is a question of the conservative government's deliberate violation of the generally recognized norms of international law. The colonialist relapse in the South Atlantic is explained by the desire of London and Washington to secure for themselves firm military-strategic positions in waters where important sealanes intersect. Furthermore, the Falkland region is believed to contain large deposits of oil. It was not for nothing, as the BBC reported, that the United States provided Britain with the oil-exploration ship (Shtena) Inspector within the framework of military assistance.

The aggravation of the international situation through the fault of imperialist circles does not leave Soviet lawyers indifferent. The meeting of the Soviet Law of the Sea Association unanimously adopted a statement which appeals for peace and security to be ensured on the seas and oceans.

CSO: 5200/2095

BRIEFS

'NOVOYE VREMYA' ON CONFERENCE--Moscow NOVOYE VREMYA in Russian on 18 June carries on pages 26-27 a 2,300-word article by I. Gorev entitled "In Line With Everyone's Interests." The article sums up the results of the Law of the Sea Conference, saying that it drew up a "fine, all-embracing convention" which is a "balanced package of compromise accords." The article goes on to list the "invalid" U.S. arguments against the convention and describes the conference's "substantial concessions" to the United States and its Western allies. [PM280921] [Editorial Report]

CSO: 5200/2095

DOUBTS EXPRESSED ON RATIFYING LOS TREATY

Newspaper Editorial

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 10 Jul 82 p 1

[Editorial by "R.H.": "Socialization of the Sea"]

[Text] The doubts expressed by German scientists even more than by the German government have now been confirmed by the United States: The outcome of the last round of the LOS conference will remain nothing but a piece of paper for the time being. There have long been doubts as to progress in international political life which the establishment of a new and comprehensive Law of the Sea might bring.

What had started with the slogan "the common heritage of mankind" served national interests in the main. The expansion of national sovereignty into ever larger zones and the inclusion of the continental shelf was bound to increase the possibilities for conflict even more. The fundamental distinction between land and sea—which was poetically but usefully described by Carl Schmitt—was abolished but that did not improve matters at all. The sea—common heritage and all—is being exploited. Everyone tries to grab as large a piece of it as he can. The "terranization" and "territorialization" of vast stretches of the oceans and the industrial assault on the sea bottom are in full swing—all in the name of nationalism. To illustrate the point: the seas surrounding the tiny Falkland Islands comprise an area as large as Europe.

Count Vitzthum, an expert in international law, put it this way with all the scientific fervor at his command in his book "The Rape of the Seas": "General territorialization of the seas will not lead to political solutions in the long run which by their very existence attain to the historically requisite level of regulation."

But all the things that were not supposed to be nationalistic but internationalistic in a positive sense did not work out either. In exploitation of the sea bottom, state-owned firms were assigned a dominant role in international cooperation with private firms—which amounts to a law of the sea which favors state capitalism. Beyond that, it became clear that the major nations were to be forced to transfer their technology without charge to all interested countries who are less efficient than they. Thus, international socialization of national capabilities was to become law in one field of operations. And the German government, which had been willing to go pretty far to show its good will, can now breathe a sigh of relief because the Americans dared go "where angels fear to tread."

Foreign Minister Statement

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 10 Jul 82 p 5

[Article: "German Reservations on New LOS"]

[Text] The position of the German government on the outcome of the 3rd LOS conference has become clearer now that the United States has announced it will not ratify the treaty texts. The German reservations were spelled out more clearly than heretofore by the Foreign Minister in replying to an interpellation of the CDU/CSU fraction. Here are some major portions of the reply contained in document No 9/1771 dated 22 June 1982.

German LOS interests, agreed upon by all concerned, were not easy to bring out from the very start of the LOS conference in 1973.

The course of the conference was highlighted to a large extent by the Third World and the long coastal nations. Beyond this, the accepted alliances and common interest groupings were only partially effective at the conference. It worked to our disfavor that there is no other larger-sized industrial nation which is as much at a geographical disadvantage as we.

At a time when all the other Western industrial nations, including the United States, were aiming for an outcome to the conference of which we did not approve, the FRG raised its voice and called for more consideration of its interests. The German government was all the more pleased when the newly elected American President Reagan ordered a review of the conference results. Based on this review, the American delegation submitted a number of proposals we approved of and supported with respect to deep sea mining which had been a source of particular concern to us earlier.

These proposals were submitted at the 11th session of the conference. In spite of our support for the proposals and in spite of the largely unified position on these issues held by the major Western industrial nations, the group of 77 and the East Bloc were unwilling to enter into a substantive discussion.

This applies to all proposals with the exception of protection for pioneer investments in deep sea mining on which agreement in the form of a conference resolution was obtained. The group of 77 and the group of socialist states pressed for a quick conclusion of the conference. Despite our objections, the conference moved that all possibilities for negotiation had been exhausted. At that point, the United States objected to adopting the conference outcome by voice vote and called for voting by ballot. In the vote held on 30 April 1982, the United States, Venezuela, Israel and Turkey

—all for different reasons—voted against adopting the conference texts. The FRG, along with Great Britain, Italy, the Benelux countries as well as the Soviet Union and its allies with the exception of Romania, Spain and Thailand all abstained. In a declaration on the vote, the FRG expressly kept its options open with regard to signing and ratifying the treaty at some later date. 130 countries, including France and Japan, voted in favor of adopting the conference texts. The substantive negotiations of the 3rd UN LOS conference were concluded at the end of the 11th session held in New York from 8 March 1982 to 30 April 1982.

Substantive negotiations came to an end at the close of the 11th session and with the 30 April 1982 vote on the treaty texts. Renegotiation of the rules governing the sea bottom—which the FRG, among others, supported—did not take place during the 11th session either formally or informally due to the opposition of the predominant majority of participants (the group of 77 and the group of the socialist states). During this session, detailed substantive negotiations were solely conducted on participation issues, on the protection of pioneer investors in deep sea mining operations and on the preparatory commission.

The result of the American review was in the FRG's interests. It covered a majority of points which the FRG had criticized for some time. On sea bottom operations, the findings of the American review did not diverge from our own but did not go as far as we would have liked on one particular point: The United States did not ask for a reduction of taxes on private and national deep sea mining firms.

Technology transfers without cost are not provided for. Firms wishing to engage in deep sea mining operations, however, are obligated to transfer any technology they employ—including technology employed by their contractors—to state-owned enterprises and in some cases to developing countries at appropriate and reasonable cost.

For economic and organizational reasons, the German government has reservations with regard to limiting production in deep sea mining.

The German government considers the taxes proposed to apply to state-owned and private deep sea mining operations too high and views them as running counter to the speedy start of deep sea mining operations.

The establishment of the 200-mile zones contained in the draft treaty text by and large corresponds to general usage indepedent of the conference. The FRG has felt that some of the applicable rules could be improved—particularly those dealing with the legal provisions pertaining to sole-use economic zones. In reviewing the results achieved thus far, however, one must also take into consideration that there are limits to how far a large number of littoral states can go.

The German government came out in favor of an extension of the time alloted to the negotiations. It expressed its opposition to the statement by the president to the effect that all possibilities for negotiation had already been exhausted.

9478
CSO: 5200/2093

'DAGBLADET': MEDIAN LINE PRINCIPLE SHOULD APPLY WITH USSR IN BALTIC

PM060927 Stockholm SVENSKA DAGBLADET in Swedish 25 Jun 82 p 2

[Editorial: "Zmeinyy and Us"]

[Text] It seems all the better, as Thursday's [24 June] SVENSKA DAGBLADET reported, that Foreign Minister Ola Ullsten (Liberal Party) has, on behalf of the government, withdrawn the "compromise offers" which have been made in the negotiations between Sweden and the Soviet Union on where the demarcation line between the two countries in the Baltic should be drawn.

This matter is not one that admits of some settlement through political haggling to be reached after lengthy discussion. No, the present case is one involving principles, principles which must be followed.

Ullsten was right when he told SVENSKA DAGBLADET that "the Russians are good at finding principles which benefit their own interests."

However, Sweden should spare the Soviet Union the future headaches of keeping track of different principles for use in different demarcation line disputes.

The Soviet Union itself in a border dispute with Romania in the Black Sea has adopted the median line principle in the case of the island of Zmeinyy. The principle adopted here means that the median line model applied to Gotland in the Baltic would fully satisfy the original Swedish demands.

This principle--accepted by the Soviet Union and simple and clear as it is--should be pushed by the Swedes in future. The foreign minister can count on total popular support for such a policy on Sweden's part.

This median line principle has two advantages which every other principle lacks--first, it is based firmly on general international ideas of justice and legality and second, it helps to avoid all the haggling this way and that about such and such a percentage of the Baltic's none too blue waters.

Additionally, the Soviet view should be that the principle would be of great value--since the risk that its submarines could stray into Swedish territorial waters or, even worse, naval restricted areas would, with its help, be radically reduced.
CSO: 5200/2090

END

JPRS 81585

19 August 1982

Worldwide Report

LAW OF THE SEA

No. 206

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19 August 1982

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LAW OF THE SEA

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WHALING RESTRICTIONS ADOPTED AT IWC MEETING

OW251626 Beijing XINHUA in English 1525 GMT 25 Jul 82

[Text] London, July 24 (XINHUA) -- The 34th annual meeting of the International Whaling Commission (IWC) ended today in Brighton, south England, after adopting a vote to phase out commercial whaling and setting catch limits on uncommercial whaling.

A decision overwhelmingly approved yesterday said commercial whaling should be phased out by 1985. The Soviet Union and Japan, both major whaling nations, voted against the decision.

Chinese delegation [as received] Li Renpei said in a statement that China's basic position is one for positive conservation of whale resources. But "under the premise of ensuring the resources from being damaged, limited and rational utilisation of the whale resources should be allowed," the statement said.

The six-day meeting passed two resolutions today, reducing the catch limits of minke whales in the Sea of Japan, the Yellow Sea and the East China Sea from 940 to 654 annually and the catch limits of bryde's whales in the East China Sea from 19 to 10.

Another resolution decided that Japan would be allowed to catch 450 sperm whales in 1982 and 400 in 1983 in the north Pacific.

The IWC, set up in 1946, now has 38 member countries. China joined the organization in 1980.

CSO: 5200/2106

ENVOY SAYS USSR, EAST BLOC TO SIGN LOS TREATY

BK231403 Singapore Domestic Service in English 1100 GMT 22 Jul 82

[Text] The Soviet Union has indicated that it will sign the Law of the Sea convention in Caracas in December. The president of the Law of the Sea [LOS] conference, Ambassador Tonny Koh, said this in an interview with Singapore Broadcasting Corporation today.

The Soviet Union abstained in the voting for the text of the treaty following the conference last year [as heard] in April. Ambassador Koh, who is also Singapore's representative at the United Nations, said he had learned recently that the Soviet Union had decided to sign the treaty after all. He stated that the other Warsaw Pact countries, which had also abstained, would now follow Moscow's example.

Ambassador Koh added that Britain, West Germany and other Western countries are reviewing the treaty text. He hoped that they would eventually join France and Japan, which had voted for the text, in signing the treaty.

If this happens, Ambassador Koh said, the entire treaty, including the chapter on sea bed mining, would be viable once it came into force, even without the United States as a signatory.

Ambassador Koh stressed that specific U.S. interests, such as its military security and resources interests, would not necessarily be protected by customary international law alone if the United States did not become a party to the treaty.

The United States, he said, runs the risk of having its right to transit passage in straits vital to its global strategic interests, for example, challenged by states who had become parties to the treaty and thus consider such matters governed solely by the Law of the Sea treaty.

CSO: 5200/2106

BRIEFS

USSR, NIGERIA DISCUSS SEA LAW--The Soviet Union says it will sign the convention of the Law of the Sea. The Soviet ambassador to Nigeria, Vladimir Snegyrev, gave this indication during a meeting in Lagos with the attorney general of the federation and minister of justice, Chief Richard Akinjide. The ambassador also disclosed that all the socialist countries of the Soviet bloc will sign the treaty. On his part, Chief Akinjide promised to convey the message to the Nigerian leader. The minister gave the assurance that Nigeria will continue to participate in the Law of the Sea conference. Nigeria was among 130 nations which approved the draft convention in New York last April. [Text] [AB211152 Lagos International Service in English 0830 GMT 21 Jul 82]

CSO: 5200/2106

NAVY PATROLS PROTECT BASS STRAIT OIL-DRILLING RIGS, SHIPS

Melbourne THE AGE in English June 82 Saturday Extra p 4

[Article by Lindsay Murdoch]

[Excerpts] The unknown container ship appeared first as specks of light among the low, scudding cloud. The navy patrol boat HMAS Buccaneer had sighted it by radar two hours earlier but had failed to make radio contact.

Eventually, the dwarfed patrol boat drew alongside the ship and turned a powerful spotlight on to its upper deck. After several minutes there was a crackling response on the radio from the officer on the bridge.

The ship's captain agreed to steer out of the 72-square kilometre restricted area where Victoria's 10 oil and gas rigs rise above the continuous swell of Bass Strait. On average, one ship a week is ordered out of the area which the Federal Government has banned to ships of more than 200 tonnes.

The chances of a tragedy happening in the area have been discussed repeatedly in the board rooms of the big oil companies and by defence chiefs. According to one popular scenario, the captain of an international ship sailing along Australia's southern coast sets a course on a chart he used when last in these wild waters years ago.

This out-of-date chart does not show the restricted area and the ship is switched to automatic pilot on a course through the middle of the rigs which provide 65 percent of Australia's crude oil and all of Victoria's natural gas.

In the scenario, the ship is heading for one of the rigs while the only officer on watch is starting to nod off. Even if alert, he would have little hope of seeing the glow of the rig ahead because of dense fog. Up to 60 men work on each of the $300 million rigs which are pinned to the seabed. Collision with a ship would create one of Australia's worst disasters.

The navy boats are powerless to act when they are riding out a storm near the coast. This happened last March when Wollongong was sheltering in Refuge Cove off Wilsons Promontory and the radar on the Mackerel platform picked up a ship heading towards it.

The rig's crew was unable to make contact in the force eight gale. Fortunately, an Esso helicopter was on one of the rigs and flew out to intercept the ship, the Panamanian-registered Vortex-Mariner, and dropped warning flares. Although the ship had entered the restricted area around the rigs, Australian authorities cannot prosecute the captain. Under the Petroleum Act 1967, only vessels which pass within a gazetted 500 metres of any of the rigs can be prosecuted and fined up to $100,000. The 72-kilometre restricted area was recognised officially late last year after the federal Government made a submission to the Intergovernmental Maritime Consultative Organisation, the international body which considers the laws of the sea.

Notices to mariners sent around the world on 1 January simply said that ships over 200 tonnes should pass south of the restricted area and maintain a listening watch on a special channel while in range.

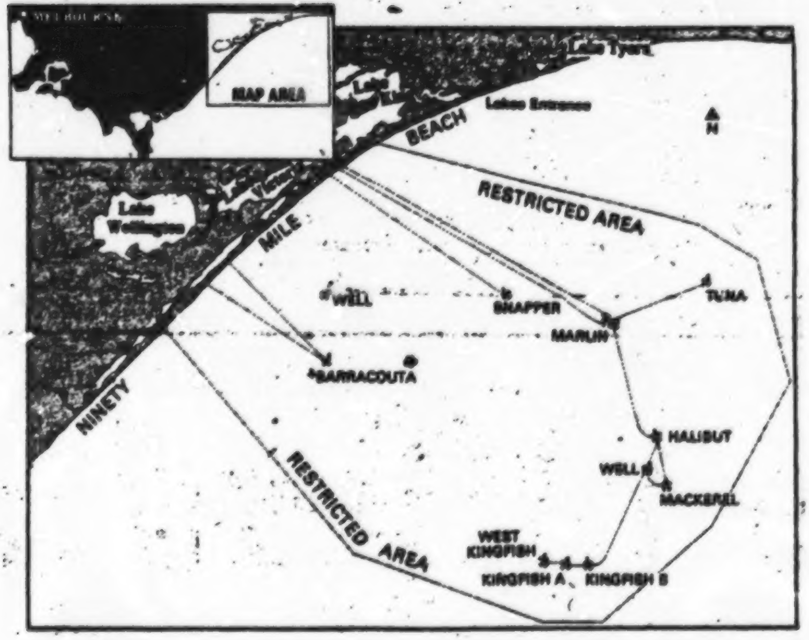
Australian authorities can ask ships found inside the restricted area to alter to a safer course. A Transport Australia spokesman said that if the captain refused, Australia under international law had no power to impose a penalty.

"But we can request the country in which the ship is registered to take action," the spokesman said.

Transport Australia officials usually board ships found in the area at their first port of call. The spokesman said: "If they do the wrong thing we can make it pretty hard for them. Certainly the ship's charts would be examined to see if they are up to date. We would interview the master and let him know we are not happy.

The officers in charge of the navy patrol boats have been sworn in as Federal police officers so they can arrest civilians who enter the crucial 500-metre safety zone around the rigs.

Forcing the ships around the rigs has created a new danger--that of a collision between ships travelling in opposite directions. To avoid this the Federal Government last year let a $2.4 million tender for a West Australian company to build two light house boats. These will be moored south of the Kingfish platforms within 12 months. The unmanned boats will be fitted with powerful lights and radar reflectors.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RESTRICTED AREA

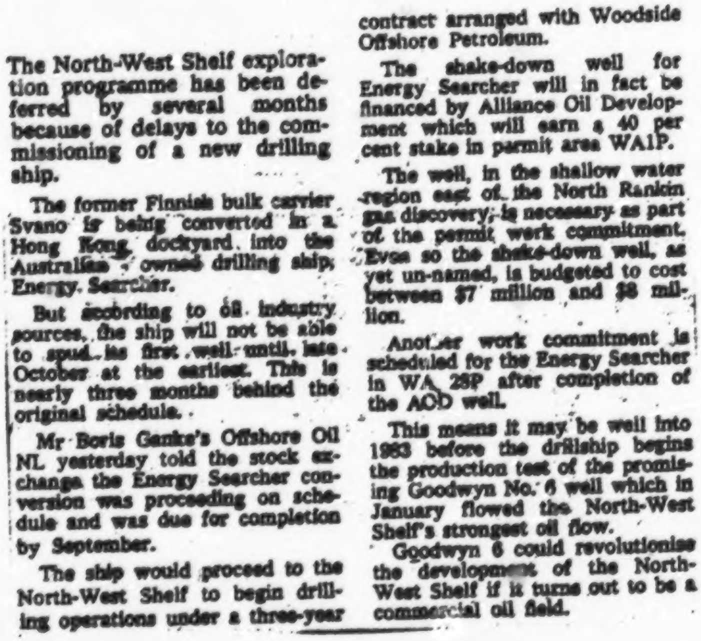
CSO: 5200/7548

NEW DRILLING SHIP LATE, DELAYING OFFSHORE EXPLORATION

Melbourne THE AGE in English 18 Jun 82 p 22

[Article by Nigel Wilson]

[Text]



The North-West Shelf exploration programme has been deferred by several months because of delays to the commissioning of a new drilling ship.

The former Finnish bulk carrier Svano is being converted in a Hong Kong dockyard into the Australian - owned drilling ship, Energy Searcher.

But according to oil industry sources, the ship will not be able to spud its first well until late October at the earliest. This is nearly three months behind the original schedule.

Mr Boris Ganke's Offshore Oil NL yesterday told the stock exchange the Energy Searcher conversion was proceeding on schedule and was due for completion by September.

The ship would proceed to the North-West Shelf to begin drilling operations under a three-year contract arranged with Woodside Offshore Petroleum.

The shake-down well for Energy Searcher will in fact be financed by Alliance Oil Development which will earn a 40 per cent stake in permit area WA1P.

The well, in the shallow water region east of the North Rankin gas discovery, is necessary as part of the permit work commitment. Even so the shake-down well, as yet un-named, is budgeted to cost between $7 million and $8 million.

Another work commitment is scheduled for the Energy Searcher in WA 28P after completion of the AOD well.

This means it may be well into 1983 before the drillship begins the production test of the promising Goodwyn No. 6 well which in January flowed the North-West Shelf's strongest oil flow.

Goodwyn 6 could revolutionise the development of the North-West Shelf if it turns out to be a commercial oil field.

CSO: 5200/7548

BRIEFS

SCOTT REEF WELL PLUGGING--Woodside Petroleum Ltd has plugged its North Scott Reef No 1 well off the West Australian coast following flows of up to 1.2 million cubic metres a day during production testing. The company reported yesterday that in tests at the 4,223 to 4,283 metre interval, gas flowed at the rate of 1.2 million cubic metres a day through an 18mm choke with 484 barrels of condensate being produced a day. Through a 15mm choke the well had produced gas at the rate of 100,000 cubic metres a day and 385 barrels of condensate, and through a 12mm choke it produced 740,000 cubic metres of gas a day. In the Gippsland Basin Shell Development (Australia) Pty Ltd announced that the Hammerhead No 1 well in 120 metres of water, was drilled to a depth of 1,921 metres. [Excerpts] [Sydney THE SYDNEY MORNING HERALD in English 16 Jun 82 p 23]

BASS STRAIT WELL--Esso-GHP's Kahawai 1 offshore wildcat well in Bass Strait is being plugged and abandoned after a wireline test recovered 15 litres of oil. Attention centred on the well two weeks ago when it gave indications of hydrocarbons at 1,396 metres. Three cores cut between 1,396 metres and 1,558 metres confirmed that hydrocarbons were present in the top seven metres of the section. However, this week's wireline test at 1,403 metres after the well had been drilled to a total depth of 2,320 metres yielded only a trickle of oil, believed to be part of the shallow oil accumulation of the nearby Tuna oil field discovered in mid-1968. Kahawai 1 was the fifth well in Esso-BHP's renewed exploration program in the Gippsland Basin. In the Cooper Basin, Delhi reported that the Strzelecki No 10 gas appraisal well had flowed gas at a rate of 200,000 cubic metres a day through a 12mm choke over the interval 1,920-1,937 metres. After testing the well will be drilled ahead from its present 1,937 metres to its target depth of 1,981 metres. [Text] [Sydney THE SYDNEY MORNING HERALD in English 18 Jun 82 p 19]

CSO: 5200/7548

U.S. ABOUT FACE TERMED 'TRIUMPH OVER COMMONSENSE'

Bombay THE TIMES OF INDIA in English 19 Jul 82 p 8

[Editorial]

[Text] Having gone along with the discussions that ended recently in the finalisation of the law of the sea treaty, the Reagan administration has refused to sign it. This is extremely unfortunate, even if it be unsurprising, given the known predilections of the U.S. President and his advisers. The American *volte face* is indeed the triumph of ideology over compromise and commonsense. U.S. seabed mining firms have combined with the Reaganite ideologues to denounce the treaty's underlying doctrine that the colossal mineral wealth of the seabed is the "common heritage of mankind." This concept, according to them, is no different from "global socialism." The irony of it all is that even President Reagan recognises some of the clear advantages of the treaty to the U.S. For instance, it provides for unimpeded naval passage through 115 straits in the world and a uniform 12-mile limit for territorial waters. The U.S. will like to have all these advantages. But obviously it cannot enjoy these benefits and yet reject the treaty's provisions on seabed mining which, incidentally, represent a compromise between the third world's and the American points of view, Private American, West European and Japanese firms have finally been allowed a considerably greater role than was originally envisaged though admittedly under the umbrella of the proposed international seabed authority. However, the U.S. does not wish to share either the technology for seabed mining or the profits from it with the third world.

America's policy of wanting to eat its cake and have it too is not only unfair but also unrealistic. In the long run, it cannot but hurt American interests. The U.S. cannot accede to the treaty in parts. Its strategy of trying to have the best of both worlds by entering into "less sweeping" mini-treaties with selected nations is not as feasible as it might appear at first sight. America's West European allies as well as Japan have made no secret of their support to the treaty. And even if some of them can be browbeaten or inveigled into signing a mini-treaty, this by itself is unlikely to change the legal regime for the seas agreed to by the rest of the world. On the other hand, the countries which wish to go ahead with the signing and ratification of the treaty must reckon with the great economic, political, diplomatic and technological clout the U.S. can bring to bear in its conflict with them. In this sombre situation a ray of hope is that thoughtful Americans have started opposing the Reagan administration's thesis that the seabed riches are up for the grabs. They have pertinently pointed out that the U.S. has needlessly isolated itself over a treaty from which it has a good deal to gain.

CSO: 5200/7049

BRIEFS

THAI TRAWLER SEIZED--Midnapore, July 20--A Thai trawler with 20 crew were intercepted by Indian Navy for entering Indian territory near Haldia on Sunday night according to information received by the Additional District Magistrate heretoday. The crew were produced before the Sub-divisional Judicial Magistrate, Tamluk, yesterday. He released them on bail. The trawler was seized and some quantity of fish confiscated. It may be recalled that 105 Thai fishermen arrested in three trawlers in September last year near Haldia were released from the court of the SDJM, Tamluk, last month. [Text] [Calcutta THE STATESMAN in English 21 Jul 82 p 1]

CSO: 5200/7050

INDONESIA

BRIEFS

U.S. DECISION 'DEPLORED'--Jakarta, Jul 12 (AFP)--Indonesia deplored the U.S. decision not to sign the Law of the Sea Treaty which has been endorsed by 130 countries, a Foreign Ministry spokesman said here today. The United States should have taken into consideration the interest of most countries rather than just its own, he added. The U.S. move showed that Washington did not appreciate the work of many countries which had struggled for some eight years to secure the signing of the milestone treaty, he said. Indonesia, one of the 130 signatories, has hailed the treaty saying it will help promote a fair exploitation of sea resources for the benefit of all nations. [Text] [BK121317 Hong Kong AFP in English 0447 GMT 12 Jul 82]

CSO: 5200/2106

'NEW STRAITS TIMES' RAPS U.S. STANCE ON LOS TREATY

BK130937 Kuala Lumpur NEW STRAITS TIMES in English 12 Jul 82 p 20

[Editorial: "Spoilsport"]

[Text] The United States is behaving like a spoilt child who, unable to get his own way, refuses to take part and thereby disrupts further play. Its decision not to sign the United Nations Law of the Sea Treaty can only be seen as a petulant act designed to twist the arms of the Third World countries which have already given substantial concessions to industrialised nations. No doubt the U.S. hopes that an overriding concern that the treaty should be concluded this year will lead to Third World countries softening their stand on the 230 changes to the original draft proposed by the Reagan administration. The refusal to sign is probably backed by a belief that the treaty will have little effect without U.S. support.

This time, the Reagan administration has gone too far in its delaying tactics and bullying stance. Third World countries are unlikely to shift from their stand with regard to the provisions governing seabed mining. They are in fact likely to maintain the decision made earlier to go ahead despite American uncooperativeness. A warning too has been sounded that Western firms attempting to operate outside the terms of the treaty would face action via the World Court. This, with reference to the possibility of Western countries signing a 'mini treaty' of their own, under which they recognise one another's right to mine the seabed.

Self-seeking ventures such as these, the U.S. and its allies must realise, can do nothing but damage their credibility on the international front. The United States, for one, may allege that the draft imposes limits on production and makes mandatory the transfer of knowledge and mineral riches to other countries. But a 'mini treaty' runs counter to the very concept endorsed by the U.S. -- that the riches of the deep seabed are the common heritage of mankind. To date the U.S. has been mainly responsible for the fractious state of negotiations. It is time this 'spoilt child' grew up and learnt that the key in negotiations is not threats but compromises.

CSO: 5200/2106

U.S. FAILURE TO SIGN LOS TREATY CRITICIZED

HK151138 Beijing RENMIN RIBAO in Chinese 15 Jul 82 p 6

["International Jottings" by Shi Fang [1102 5364]: "A Big Stockholder"]

[Text] U.S. President Reagan announced on 9 July that the United States would not sign the international Law of the Sea Treaty because the deep-seabed mining part of the convention is unfavorable to U.S. monopoly. Several words in this statement are worth pondering.

The statement admitted that this convention was adopted with 130 votes in favor, 4 against (including the vote by the United States) and 17 abstentions. However, the statement said that, although those countries which voted against the convention were in the minority, "their GNP's amount to 60 percent of the world total and the membership dues they pay to the United Nations amount to more than 60 percent of the total." The implication of this statement is quite obvious: The United States has vast productive forces and pays higher membership dues to the United Nations; therefore, naturally, special consideration should have been given to the United States when the international Law of the Sea Treaty was being worked out. In other words, small and weak countries and the United States can never be treated equally and the former as usual have to suffer losses.

However, the UN Charter, to which the United States is a signatory, clearly provides that "all nations, large or small, enjoy equal rights." The charter does not say that the member nations should be discriminated against in sharing interests according to their power and their shares in the membership dues. The U.S. Government regards the world and the United Nations as a joint-stock company, thinking that the biggest stockholder should enjoy the most rights, and therefore the superpowers may certainly practice power politics. This is exactly the world outlook of the U.S. monopoly capital class.

CSO: 5200/2106

TRINIDAD, TOBAGO SIGN FISHING AGREEMENT WITH VENEZUELA

FL271545 Bridgetown ADVOCATE-NEWS in English 23 Jul 82 p 3

[Excerpts] Port-of-Spain, Trinidad, Thursday (CANA) -- Trinidad and Tobago and Venezuela have signed an agreement under which fishermen from both countries will be allowed to fish in each others territorial waters without permits.

The agreements, which was initialled by officials of the Trinidad and Tobago-Venezuela fishing commission after three days of talks in Port-of-Spain last week, will however not allow fishermen to fish in certain special zones.

It allows artesanal (pirogues with nets and other fishing gear) vessels to operate outside the specific identified zones in the treaty in each others territorial waters without permits. Nonartesanal vessels -- the deep sea trawlers such as those owned by the Trinidad and Tobago national fisheries company -- are still prohibited from fishing because of the threat they posed to marine enviornment, an official statement here said.

Last week's meeting was the sixth since the bilateral treaty was signed in Port-of-Spain in December 1977. General Mendoza said that talks should be held twice yearly to re-evaluate the treaty and study problems arising out of its implementation. The meeting was held at the invitation of the Trinidad and Tobago Government. The next meeting will be held in Caracas. Three representatives from each country have been commissioners to oversee the treaty.

CSO: 5200/2106

ANTIGUA AND BARBUDA

BRIEFS

FISHING CATCH DECLINE--ST. JOHN'S, Antigua, Jul 7 (CANA)--Antigua and Barbuda fishermen landed 525,712 pounds of fish in the first half of this year--two-and-half percent less than for the corresponding period last year, the government reported today. The government said the islands registered a decline even though there had been an increase in the number of fishermen. It blamed the drop on the increasing competition local fishermen faced from their Guadeloupean counterparts, and ther rough seas during the first three months of this year which destroyed several fish pots. Figures released by the Fisheries Department indicated there was a decrease of 15 percent in the lobster catch in the first half of 1982, compared with the January-June period last year. Officials in the Fisheries Department said the intense competition and the rough weather were also responsible for the fall-off. [Text] [Kingston THE DAILY GLEANER in English 15 Jul 82 p 3]

CSO: 5200/7547

NAVY CONCERNED OVER FISHING ACTIVITIES ON COAST

Brasilia CORREIO BRAZILIENSE in Portuguese 10 Jul 82 p 0

[Text] The Brazilian Navy is concerned about the concentration of fishing activities on the nation's coastal strip, according to Adm Jose Pardellas, who was yesterday appointed president of the National Confederation of Fishermen by Agriculture Minister Amaury Stabile. "I cannot speak for the Navy, because I am in the reserve, but I can report that all this movement of fishing boats is concerning that branch of the armed forces," the admiral said, referring to the fact that the large number of fishing boats on the coast is a safety problem for navigation.

At the side of Admiral Pardellas, Roberto Amaral, president of SUDEPE (Superintendency for Development of the Fishing Industry), said this concentrated coastal fishing also concerns the agency he directs, because it is in this part of the coast, mainly at the river estuaries, that the fish hatcheries and other marine animal beds are located. "When the boats trawl fine-meshed nets, it endangers the replacement of the shoals," said Amaril.

The superintendent of fishing explained that this coastal fishing is directly linked to the critical increase in fuel costs. Before this occurred, only 12 percent of all fishing was conducted in the coastal region. Now 50 percent of the fish are caught near the beaches, "because the operators are avoiding the fuel consumption required for fishing on the open sea," the SUDEPE director added.

He explained that ocean ("long line") fishing is more productive, but only for boats equipped with instruments to locate the shoals. Only 1 percent of the national fishing fleet has such equipment; all these vessels belong to owners from Rio Grande do Sul or Santa Catarina and are devoted to tuna fishing on the open sea. Thus, owners of ships without sonar and other equipment to locate the schools are reluctant to go out on the high sea and use up diesel for days, hoping to spot shoals of fish by naked eye.

The SUDEPE superintendent feels, however, that the problem will soon begin to be solved. To this end, he will join President Figueiredo's delegation on the trip to Canada. There, from 19 to 23 July, Amaral will try to arrange for the acquisition of equipment for the national fishing fleet to locate the shoals, through technical cooperation accords between representatives of the two countries.

6362
CSO: 5200/2099

NAVY TO DEMARCATE CONTINENTAL SHELF

Brasilia CORREIO BRAZILIENSE in Portuguese 8 Jul 82 p 4

[Text] The Nayy will demarcate Brazil's continental shelf. This is necessary for the definition of its exclusive economic zone, which, according to Minister Maximiano Fonseca, should be over 200 miles. The creation of the economic zone, by which Brazil will maintain sovereignty over the offshore petroleum, and the return to a 12-mile maritime territoral limit are provided in the new convention of the Law of the Sea, which should be approved by the United Nations.

The 200-mile territorial limit adopted by Brazil during the Medici administration after it was included in the law of other nations, such as Argentina, did not have international concensus. At the UN Law of the Sea, Conference, the most favored proposal was for a 12-mile territorial limit and creation of an exclusive economic zone over which, in accordance with the extent of its continental shelf, each nation would have sovereignty.

The navy minister does not feel the Brazilian 200-mile proposition is ruled out; on the contrary, he feels it is important in arriving at an international consensus regarding sovereignty in the strip constituting the continental shelf, which, according to experts in the Law of the Sea, is an extension of national territory.

The Navy wants to insure Brazil's economic sovereignty over the strip to be defined by this mission, which will be conducted with the oceanographic ship "Serius," so the country can maintain its right to exploit offshore petroleum, fish and other resources, including mineral resources.

The offshore oil now being exploited by PETROBRAS [Brazilian Petroleum Corporation] in Campos, in Bahia, in Sergipe and on the coast of Amapa is being taken from the continental shelf within the 200-mile limit. Without ruling out the possibility that there is offshore oil beyond these 200 miles, Brazilian specialists say the greatest possibilities for Brazil lie within this area.

6362
CSO: 5200/2099

BRIEFS

FUNDS FOR FISHING SECTOR--The Bank of Brazil yesterday granted a line of credit in the amount of 1.5 billion cruzeiros to finance expenditures in the fishing sector. According to Roberto Amaral, superintendant of SUDEPE [Superintendency for Development of the Fishing Industry], the funds will be applied by December 1982. The limit on loans will be up to 1,500 [times] the Greatest Value of Reference, that is, somewhat over 11 million cruxeiros. Amaral reported that the credit will be used for such fishing costs as acquisition of lines, nets and fish hooks, and manpower. It will have a 2-year repayment period. For expenditures on fish hatcheries, maintenance of equipment and fish processing, the period will be 1 year and interest rates will be the same as those for farm credit: 45 percent for the central south and 35 percent for the northeast. [Excerpts] [Brazilia CORREIO BRAZILIENSE in Portuguese 8 Jul 82 p 8] 6362

COASTAL ZONING STUDY--The CIRM (Interministerial Commission for Maritime Affairs) will initiate studies to establish coastal zoning for the nation, taking into consideration the social, economic and ecological aspects of each region. The announcement was made in Brasilia by Adm Paulo Nogueira Neto, special secretary for environmental affairs, who will chair the subcommittee which will study the matter in detail, Navy Minister Maximiano da Fonseca should formally create this subcommittee within a short time, Its first task will be to draft a bill giving the CIEM power to establish a coastal zoning code. Both the admiral and the special secretary are particularly concerned about the disorderly use of Brazilian coastal land. [Text] [Sao Paulo O ESTADO DE SAO PAULO in Portuguese 19 Jun 82 p 12] 6362

CSO: 5200/2099

BRIEFS

OFFICIAL MINIMIZES U.S. POLICY--Santiago, 13 Jul (AFP)--U.S. participation in the Law of the Sea convention is important but not indispensable, Fernando Zegers, director general of foreign policy of the Chilean Foreign Ministry, stated here today in commenting on the U.S. refusal to sign the treaty. The Chilean official said the U.S. stand will not have a major impact on the convention because many of its provisions will become part of international law through their observance by the various states; that is, they will become mandatory for everyone. The United States refuses to sign, he said, because it objects to one of the chapters of the convention--the one dealing with exploitation of the seabed--but it accepts the other chapters. [Excerpt] [PY152314 Paris AFP in Spanish 0244 GMT 14 Jul 82]

CSO: 5200/2106

BRIEFS

TUNA MARKET DIVERSIFIED BY U.S. EMBARGO--Our country will no longer receive 7.5 billion pesos as a result of the tuna embargo. This was reported today by the Banco Nacional Pesquero y Portuario, Banpesca. Banpesca Director (Alfonso Soleros Murillo) said, however, that although the fishing industry is facing a difficult situation, it will be dealt with. (Soleros Murillo) added that in view of the U.S. tuna embargo, Mexico has found it necessary to transfer its exports to countries like Italy, Canada, France and the Scandinavian nations. The official said that these exports have allowed Mexico to develop its tuna industry, while avoiding basic dependence on the U.S. market. He added that a 1982 production level of more than 60,000 tons is expected, of which 5,000 tons will be exported. [Text] [PA271949 Mexico City International Service in Spanish 0200 GMT 27 Jul 82]

CSO: 5200/2106

U.S. REJECTION OF SEA LAW CONVENTION ASSESSED

PM201425 Moscow PRAVDA in Russian 15 Jul 82 p 5

[Vsevolod Ovchinnikov "Commentator's Column": "From Imperial Positions"]

[Text] The other day President Reagan officially announced his administration's refusal to sign the new Law of the Sea convention adopted by a UN conference on 30 April. (It will be open for signature this December and the Soviet Union will be one of the first states to sign this important document.) As Reagan himself recalled, the United States participated for many years in the framing of this convention together with the representatives of more than 150 countries. But, the President claimed, it suddenly turns out that the section of the convention dealing with the exploitation of sea-bed resources "is not consistent with U.S. aims."

The new convention is a code of international legal principles and norms governing the use of the sea and the exploitation of the world ocean's resources. It was the product of years of effort and mutual concessions by all the participants in the talks and is a balanced "package" of compromise accords on all the closely interrelated questions of maritime law. This painstaking work was conducted with the participation of three preceding U.S. administrations. Only this, the fourth administration, has rejected the accords reached with its predecessors and demanded that the already agreed text be revised.

The present White House incumbent is evidently displeased that the convention proclaims that its main goal is that the world ocean's riches should be exploited in the interests of all mankind; that it provides for measures to prevent the monopolization of sea-bed resources and private companies having free rein to exploit them; and lastly, that the decision-making procedure threatens to deny the United States the dominant role which it has become accustomed to playing in international currency and financial organizations.

The refusal to sign the Law of the Sea convention reminds one in many respects of the fate of SALT II. In both cases, years of seeking a mutually acceptable and balanced compromise were unilaterally nullified. In both cases, imperial ways and attempts to secure a position of dominance and to snatch one-sided advantages at the expense of other people's interests are clearly discernible. In both cases, the line taken by the present U.S. administration and its renunciation of previously reached accords are contrary to the principle of conscientious fulfillment of adopted commitments and the principle of continuity of law in international relations. The question arises: Is not Washington's refusal to sign the Law of the Sea convention a maneuver aimed at freeing its hands to arbitrarily usurp the sea and the world ocean's resources, which the present administration regards as yet another "sphere of U.S. vital interests?"

CSO; 5200/2106

DEPUTY FOREIGN MINISTER ON LAW OF SEA

LD220904 Moscow TASS in English 0610 GMT 22 Jul 82

["Statement by USSR Deputy Foreign Minister in Interview" --TASS headline]

[Text] Moscow, 22 Jul (TASS)--The USSR declares for the participation of all states in the new all-embracing Law of the Sea convention, which was adopted at the UN conference on April 30 this year. A statement to this effect was made in a TASS interview by Semyon Kozyrev, USSR deputy foreign minister, who heads the Soviet delegation at the third UN Law of the Sea conference.

Semyon Kozyrev has criticized the refusal of the U.S. administration to sign the international Law of the Sea convention, a statement to which effect was made by President Reagan on July 9. Semyon Kozyrev explained in the TASS interview the stand taken by the Soviet delegation at the UN Law of the Sea conference. The conference, in the opinion of the Soviet delegation, has succeeded in drawing up a comprehensive Law of the Sea convention, which is a balanced "package" of compromise agreements, meeting, in the final analysis, the interests of all states.

The convention is known to regulate all the basic issues in connection with the activity of states in the use of the world ocean expanses and its living and mineral resources. It determines, in particular, on a mutually acceptable basis, the width and regime of the territorial waters, the economic zones and the continental shelf, establishes the order of shipping, fishing, scientific exploration at sea, the use of mineral resources in the international area of the seabed, protection of marine environment from pollution, settlements of disputes in connection with the activities of states in the world ocean.

CSO: 5200/2106

DENMARK, REST OF EC IN DISPUTE OVER NORTH SEA FISHING RULES

Denmark Wants Greater Share of Quota

Copenhagen BERLINGSKE TIDENDE in Danish 22 Jul 82 p 4

[Text] Brussels--Denmark stands quite alone with the other nine EC countries and the EC Commission ranged against it in the negotiations on a joint fishing policy.

After Fisheries Minister Karl Hjortnaes, as chairman of the Council of Ministers, acted in Brussels Wednesday to postpone the negotiations until September, the British Fisheries Minister, Peter Walker, told journalists that Denmark has always had an advantage from not having a mutual fishing agreement.

Karl Hjortnaes decided after the negotiations by the Council of Ministers on Tuesday that disagreement at the meeting was so great that no agreement could be reached in this round of talks and therefore the ministers will meet again in Luxembourg on 21 and 22 September.

During a pause in the talks, Fisheries Minister Karl Hjortnaes said that Denmark had wished to negotiate the distribution of fish quotas, but the EC Commission, with the backing of the other lands, wanted an agreement on fishing in Skagerak first and an agreement with Norway on fishing in the North Sea. The argument is that Norway is expected to make fish available to EC which could then distribute the fish quotas internally.

But Denmark feels that the EC countries should first distribute the quotas among its members in a real negotiation and then go to Norway and reach an agreement. And Denmark cannot go along with reaching an agreement first on Skagerak, where Denmark makes 98 percent of the fishing catches and in reality is the only EC country with interests in that area.

"There will be no results in September unless Denmark shifts its stand," said British Fisheries Minister Peter Walker, who on behalf of the nine countries, asked chairman Karl Hjortnaes at the meeting of the Council of Ministers to exert strong pressure on the one country that did not agree: Denmark.

While Karl Hjortnaes occupies the chairman's seat, Denmark is being represented by permanent undersecretary Jorgen Hertoft.

The mood at the fisheries meeting was not good and the British fisheries minister said it was frustrating that a country was so directly negative and even more frustrating when that country held the chairmanship position.

"Denmark has the full advantage of not having an agreement and Denmark must also take much of the blame for the overfishing that is now giving problems. There are nine countries that feel results can be achieved and Denmark will get its fair share," said Peter Walker.

There is a proposal on the table from the EC Commission concerning the distribution of fish quotas in EC, which would give Denmark 23.5 percent of the important types of fish, considerably less than it has fished so far. The nine other member lands at the Brussels meeting called this a good basis for starting the talks on the distribution of fishing.

Karl Hjortnaes said Wednesday that the other countries, by calling for an agreement on Skagerak, were asking Denmark to put its head on the block and turn over 40,000 tons of fish without getting a single fish in return.

"One does not start negotiations by allowing the country that is having trouble to begin by paying a high price," Hjortnaes said.

Fisheries Minister Karl Hjortnaes informed Danish special-interest organizations of the postponement of the fishing talks on Wednesday morning. The chairman of Denmark's Ocean Fishing Association, Laurits Tornaes, said after the meeting that "when the other countries maintain their stubborn attitude, I think it is correct not to give in to the pressure of their threats of illegal national measures."

Observer: Denmark Should Exercise 'Independence'

Copenhagen BERLINGSKE TIDENDE in Danish 22 Jul 82 p 9

[Commentary by Kurt Francis Madsen, instructor at Denmark's College of Journalism]

[Text] One of the material witnesses for Denmark's EC policy, Niels Anker Kofoed, former minister of fisheries and agriculture, spoke out plainly in BERLINGSKE TIDENDE on 24 June 1982. In a remarkable article entitled, "Danish Fishing at a Crossroads," he painted the future of Danish fishing in the EC ocean in gloomy colors. If he and other Liberal politicians had been so open 10 years ago in recognizing the EC ground rules, the effects of which we are now suffering from, many things would have been different and perhaps we could have avoided the fateful EC membership.

It is better to realize this late rather than never and it is clear that we must abide by EC decisions. Thus, Niels Anker Kofoed writes of the EC Commission's proposal on fishing quotas:

"At any rate, it is not acceptable.... One can ask what the Danish government can do and what it already could--and should--have done.... The fisheries minister could come into the situation where he...must point out that the matter is of vital importance to Denmark and consequently must be vetoed.... But that would give only a short respite, for experience has shown that small countries can maintain a veto only for limited periods of time. To be sure, the Danish government has tried for many years to delude the people into thinking that the veto right is a safeguard for the small countries."

But Niels Anker Kofoed continues: "If the other EC countries choose to ignore a Danish veto, however, it is possible for the Commission to bring about a resolution and it can do so with support from the treaty. Therefore the Danish government is in a weak position.... Now it can very easily happen that the other countries do not want to listen to Denmark, just as they finally got tired of listening to England's perpetual no on farm prices."

So much for Niels Anker Kofoed.

We must realize that our fishing industry is fighting for its life and that conditions today are chaotic and unpredictable due to the remote control from Brussels. Therefore, Denmark must pursue an independent fishing policy again and there is no way we can do that as long as we belong to EC. Now that the basic condition for Denmark's EC membership, the veto right, has been blown away, we can also perceive the conclusion of Denmark's EC period.

West German Press Comments

Copenhagen BERLINGSKE TIDENDE in Danish 23 Jul 82 p 3

[Text] Denmark has added a bizarre element to the EC fishing negotiations and has failed to play the mediating role called for by the country with the chairmanship, according to foreign press coverage of the fishing negotiations Tuesday and Wednesday in Brussels under the leadership of Fisheries Minister Karl Hjortnaes.

Using the DPA news agency as a source, West German papers wrote that the talks were contemptuous and annoying. Karl Hjortnaes has gone against the usual confidential policy under which the chairman, in an effort to bring about agreement, talks to the individual member lands and has instead used this confidential policy as a delaying tactic.

6578
CSO: 5200/2101

PAPER FINDS U.S. REJECTION OF LOS TREATY 'REGRETTABLE'

Helsinki HELSINGIN SANOMAT in Finnish 13 Jul 82 p 2

[Editorial: "Law of Sea Treaty Should Not Be Rejected"]

[Text] The United States is refusing to be a signatory to the Law of the Sea Treaty, which was completed in May after 8 years of negotiatons. This decision was expected since the United States voted against the treaty at the conclusion of the Law of the Sea Conference. However, in some quarters the hope was kept alive that the Reagan administration, which had turned the course of the United States against the treaty, would revise its stand. This hope has now disintegrated.

According to Reagan the United States cannot approve the limits placed on the exploitation of natural resources on the sea bed. These limits were the result of the wishes of certain Third World mineral producing countries; these countries feared that the extensive excavation of valuable minerals from the sea bed would bring about the collapse of their mining industries. The United States, for its part, considered that its corporations, which have developed the necessary technology for exploitation, should have a sufficiently free hand in the "mining operations" of the sea bed.

No treaty can satisfy all parties in all respects, particularly a treaty which has been compiled by nearly all the countries of the world and which concerns their vital interests. However, after difficult negotiations a mutual understanding on the application of international law over more than half of the earth's surface, which until now has remained outside of international law, was reached at the Law of the Sea Conference. This achievement with all its deficiencies is exceptionally significant.

The Reagan administration's decision was in many respects regrettable. In the first place, the permanent absence of the most technologically developed country from the sphere of this treaty can very well make it ineffective even though it will go into effect in a few years after ratification by the required number of 60 countries. This danger is even more apparent if the example of the United States is followed by other countries which opposed the treaty -- Turkey, Venezuela, and Israel -- or by those countries which abstained, several Western European countries and the Soviet bloc.

One negative consequence of the Law of the Sea Treaty remaining a mere paper agreement would most likely be the further aggravation of relations between the rich and poor countries. One of the goals of the treaty, for its part, was to rectify the economic inequality between rich and poor countries, which would have occured through a sea bed system regulating the exploitation of valuable minerals. When several rich countries adopted a contrary stance or abstained from the final conclusion of the treaty, several developing countries most certainly felt this to be a new violation of their rights.

However, all hope has not yet been lost. With good reason it is possible to ask whether the continued nonparticipation in the treaty will be in accordance with the interests of the United States -- or other industrialized countries over a long term. Even though the large American corporations in question are now applauding the decision, the situation may turn out to be extremely difficult for them over the long haul without a treaty. It also places a burden on other American interest groups, such as maritime shipping, which would benefit from the section of the treaty concerning free passage. Therefore, it can be hoped that the government of the United States will come to a different conclusion -- if not during Reagan's administration then later.

10576
CSO: 5200/2096

PAPER REGRETS U.S. REJECTION OF SEA LAW PACT

PM191203 Oslo AFTENPOSTEN in Norwegian 14 Jul 82 p 2

[Editorial: "New Law of the Sea Without the United States"]

[Text] President Ronald Reagan's announcement that the United States will not sign the new UN law of the sea convention came as no surprise but is nevertheless regrettable because the announcement is undoubtedly a new setback for cooperation between the major industrial nations and the developing countries. Without U.S. involvement the convention cannot possibly be what it was originally intended to be — in particular the arrangements which regard sea bed resources outside coastal states' territorial waters and economic zones as "mankind's joint inheritance" and which formalize the international cooperation to be set up to exploit this inheritance. Only the United States has at its disposal the technology and capital needed for mining activities at great ocean depths in the foreseeable future.

Ever since it came to power the Reagan administration has viewed some of the new law of the sea proposals with great skepticism, especially the regulations intended to regulate mining on the sea bed. These state, for example, that for every field they open with a view to their own profits the large mining companies must mine a corresponding amount to benefit the poorer nations. In this connection a new international ocean bed authority is to be set up to administrate and check on mining activities. At the same time the convention calls for "the transfer of technology" from countries possessing expertise in sea bed mining to countries which do not.

These proposals give rise to notions of some sort of "global socialist ideology" among some of Reagan's advisors, and even though the President made no direct mention of these fears in his announcement, they were nevertheless apparent when he said that the arrangements would "hinder the future development of mineral resources on the sea bed" and that the proposed decisionmaking process would not "fairly reflect or protect U.S. interests." Reagan also said that the stipulations for "the enforced transfer of private technology" to the new ocean bed authority was unacceptable.

As far as the other sections of the law of the sea convention are concerned the U.S. President took a more positive view and said that the regulations on maritime boundaries, shipping and free peaceful passage through straits, for example, are in full agreement with the interests of the United States and of all nations.

U.S. reservations are shared — at least in part — by the three EEC nations, Britain, West Germany and Italy. But unlike the Americans the British, West Germans and Italians clearly take the view that all the possibilities of "improving" the treaty have not yet been exhausted. But the remaining possibilities cannot be particularly encouraging.

CSO: 5200/2106

END

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31 August 1982

Worldwide Report

LAW OF THE SEA

No. 207

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31 August 1982

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LAW OF THE SEA

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NEW ZEALAND WATERS UNECONOMICAL FOR FOREIGN FISHERMEN

Auckland THE NEW ZEALAND HERALD in English 14 Jul 82 p 10

[Text] **New Zealand waters are proving too rough and uneconomic for foreign fishermen, many of whom have taken less than half their finfish trawl allocations.**

Last season Russian boats took just 31 per cent of their 32,500-tonne allocation; Japanese boats, 39 per cent of 76,000-tonnes; and South Korea, 68 per cent of 2300-tonnes.

Even joint ventures failed to take full advantage of their allocations. They took 72 per cent of the 166,800 tonnes allocated.

The deputy director of the Ministry of Agriculture and Fisheries research division, Dr Adrian Coleman, said the reasons were basically economic and geographic.

The total licensed and joint-venture foreign catch for the season ended March 31 was 115,028 tonnes. This was 19,858 tonnes below the previous year's catch.

Dr Coleman said the imposition of a quota on orange roughy by the ministry last year caused joint-venture catches to drop from 90,118 tonnes in 1980 to 82,983 tonnes last season.

Joint-venture boats caught 21,632 tonnes of orange roughy, 16,953 tonnes of oreo dory, 14,587 tonnes of hoki and 10,117 tonnes of barracouta.

They were by far the largest and most attractive catches, Dr Coleman said.

Most foreign licensed boats were restricted to area "E," virtually the 200-mile zone surrounding the Campbell, Auckland, Bounty and Antipodes islands.

"The conditions are bad in that area," Dr Campbell said. "There are always big seas and bad weather, and you need big boats to fish there."

Japanese

Southern blue whiting was the biggest catch taken from the chilly waters. Barracouta and some hoki were also caught.

Foreign fishermen could have put more boats in to increase their effort but had apparently decided against it for economic reasons, he said.

Only the Japanese appeared to be keen to develop those waters. "They have about six boats here and are looking at squid, fin fish such as blue whiting and hoki."

The Japanese were also likely to be involved in more research next year. The big stern trawler Shinkai Maru was due in February and March to fish over the Campbell plateau and the Bounty and Chatham rises.

System

The ministry's latest catch returns are not entirely unexpected. Its policy has been to reserve the most attractive and economic fishing grounds for the domestic fleet and to apportion the next attractive areas to joint ventures which can be fully localised later.

This policy means that foreign licensed boats get the least attractive areas and least attractive species to catch.

The system is adopted by most countries with 200-mile economic management zones.

CSO: 5200/9101

'VODK' REJECTS PRK TERRITORIAL WATERS AGREEMENT

BK140751 (Clandestine) Voice of Democratic Kampuchea in Cambodian to Kampuchea 2330 GMT 13 Aug 82

[Unattributed article: "The Kampuchean People and Democratic Kampuchea Refuse To Recognize, and Regard As Null and Void, All Agreements and Prolamations by the Aggressor Vietnamese Regime in Phnom Penh Regarding the Limits of Kampuchea's Territorial Waters"]

[Text] It was learned that last July the Vietnamese running-dog puppets in Phnom Penh signed an agreement with the Hanoi Vietnamese aggressors demarcating sea boundaries between Kampuchea and Vietnam, and proclaimed the limits of Kampuchea's territorial waters and exclusive economic zone.

The Vietnamese running-dog Heng Samrin regime in Phnom Penh is a Vietnamese aggressor regime installed at bayonet point by the Vietnamese Le Duan aggressors. These Phnom Penh puppets are completely ignorant; all affairs of the country are managed by the Vietnamese. Moreover, this Vietnamese running-dog puppet regime has been spat at and rejected by the Kampuchean people since it was first conceived and established.

Therefore, both legally and in practice, the Vietnamese running-dog regime in Phnom Penh is simply and merely an administration of the Vietnamese aggressors and does not represent the Kampuchean nation and people in the least. It is only a shield to cover up Vietnam's invasion and occupation of Kampuchean territory and slaughter of the Kampuchean people in its attempt to exterminate the Kampuchea race.

In the international arena, at the United Nations as well as in all international forums, no one recognizes this Vietnamese aggressor regime in Phnom Penh as the representative of Kampuchea.

In other words, both the Kampuchean nation and the international community, including the United Nations and other international organizations, have rejected this Vietnamese administration in Phnom Penh. This Phnom Penh administration has no right to represent the Kampuchean nation and people. For this reason, it does not have any right to sign international agreements or other documents between Kampuchea and other countries. Hence, all agreements that the puppet Heng Samrin gang has signed with Vietnam to limit the Kampuchea-Vietnam sea boundaries as well as the other agreements and treaties already signed by the puppet Heng Samrin gang are of no value whatsoever. Its proclamation on the demarcation of Kampuchea's territorial waters and maritime exclusive economic zone is also of no value.

All of this is a device to allow Vietnam to occupy Kampuchea's territorial waters and plunder Kampuchea's natural resources in the sea and on the seabed, such as petroleum. It is also part of the maneuver to force Kampuchea's neighbors, particularly Thailand, to accept the Vietnamese running-dog puppets and Vietnamese administration in Phnom Penh as a negotiating partner.

The Kampuchean people and Democratic Kampuchea, which is the sole legal and legitimate government of Kampuchea representing Kampuchea both at home and in the international arena, have repeatedly rejected and regarded as null and void all these agreements and proclamations of the Vietnamese administration in Phnom Penh. They appeal to all countries and all foreign companies and enterprises to refrain from making any deals with the Vietnamese running-dog puppets in Phnom Penh, for the Kampuchean people refuse to recognize them and regard them as null and void now and in the future.

CSO: 5200/2112

MINING EXECUTIVE DISCUSSES DRAWBACKS IN LAW OF SEA TREATY

Melbourne THE AGE in English 21 Jun 82 p 24

[Text] SYDNEY. — The seabed mining provisions of the new international law of the sea convention could leave Australian mining companies without protection from foreign competitors, an executive of the Western Mining Corporation said at the weekend.

The company's corporate affairs manager, Mr John Reynolds, said the competition was most likely to come from companies sponsored by foreign governments.

The convention, which was signed by Australia in New York last month, could distort the world's mineral markets, he said.

The convention, which was agreed upon after six years of negotiations ,has not been signed by the United States, although 130 other countries have agreed to it.

Mr Reynolds, the mining industry's adviser to the Australian Government during the international negotiations to draft the convention, said the industry welcomed the idea of a treaty to regulate seabed mining, but not one in the form finalised in New York and agreed to by the Australian Government.

Mr Reynolds said that mining of manganese, copper, nickel and cobalt from seabed nodules was not economic at present. It might be 10 or 20 years before it was.

The regulations in the new convention governing transfer of technology and of surplus earnings to developing countries made it even more uneconomic, but governments might be encouraged to mine where private miners would not, regardless of economic considerations, partly because of the convention.

Mr Reynolds said some Governments might press on with seabed mining to enhance their national prestige, to capture resources they lacked, to gain access to strategic minerals and so pre-empt such access by a rival Government, or to establish a presence in certain parts of the ocean.

He said both France and Japan had voted for the new convention.

Mr Reynolds said the convention envisaged the United States bearing a large part of the cost of the international machinery to transfer technology and surplus funds from seabed mining to developing countries.

Yet the development of seabed mining, especially if it is for non-economic reasons, would affect the competitive position of us mining companies. It was not surprising that the US dd not support it, he said.

CSO: 5200/7549

NORTHERN TERRITORY, CANBERRA IN ROW OVER COASTAL CONTROL

Canberra THE AUSTRALIAN in English 25 Jun 82 p 23

[Excerpt]

THE Territory's fishing industry plans expansion on three different fronts: by gaining a bigger share of the catch taken of its own coast; by using overseas techniques to catch exotic tropical fish for southern restaurant tables; and by developing a game-fishing industry to take advantage of bill fish prevalent in northern waters

ONE of the most serious conflicts between the Northern Territory and the Federal Government will be discussed at a meeting in August.

It is the issue of territory control of its coastal fishing grounds. Eighty per cent of the coastline is controlled by the Northern Fishery Committee (NFC), made up of representatives from Western Australia, Queensland, the Territory and the Commonwealth.

The Minister for Primary Production, Mr Steele, said Queensland and Western Australia had their own prawning grounds — and most of the Territory's as well.

But the Territory was determined to get a bigger share of the grounds and eventually to gain control over its own fishery.

The August meeting of the NFC will deal in particular with the Territory's demand to establish the Fog Bay grounds as a limited fishing area to protect local prawn fishermen from interstate and foreign prawning vessels.

ECONOMIC

The Territory also wants closed seasons in Fog Bay extended to include a nursery area and the introduction of gear restrictions in the entire area.

The Australian Fisheries Council, which meets in October, will consider the recommendations of the NFC's August meeting. If the NFC refuses to accept the Territory's recommendations, Mr Steel has threatened to take the issue to a "higher level", particularly in relation to Fog Bay.

"We believe strongly that Fog Bay should eventually be declared a limited entry fishery," he said. "We cannot accept Territory fishermen being disadvantaged in waters off our coast.

"From the Territory's point of view, there are very strong economic reasons to support the excision of the Fog Bay area from the declared management zone of the northern prawn fishery for the purposes of separate management.

"Obviously Queensland and Western Australia would see the issue in a different light. They control their own rich fishing grounds in other parts of their States and are quite happy to have rights in waters off the Territory as well.

"Territory fishermen have only a small area to fish and have to compete with big interstate trawlers who come in and rape our prawning grounds.

"Our case is clear and we will be presenting this strongly at the August meeting. We will also ask our competitors to show why their locust type of fishing operations should be allowed to continue in waters off the Territory.

"Surely the low stocks of prawns in Fog Bay are ample evidence that the grounds are being over-fished at the moment."

Meanwhile, a Northern Territory Government-sponsored developmental fishing program could put tropical reef fish on the menu of many of Australia's best restaurants.

While most seafood lovers have sampled snapper and perch common to Australia's eastern seaboard, very few Australians will have had the opportunity to eat the varieties of reef fish caught in the Timor and Arafura seas.

A Japanese dropline fishing vessel, operating in waters off the Territory coast, has made the reef fish a popular commodity with Darwin-based buyers and their Japanese counterparts.

The success of a joint Australian-Japanese dropline fishing feasibility study prompted the Government in Darwin to allocate $50,000 to developmental fishing projects, including dropline fishing.

The adaption of the fishing technique by local fishermen is being developed by the fisheries division of the Department of Primary Production in conjunction with the owner of a Territory-based fishing vessel, the 21m Rachel.

By Japanese standards, the Rachel is small, but there have already been indications that larger vessels will be converted to dropline fishing.

The Rachel's crew and fisheries officers have had some uncomfortable moments in the rough conditions northwest of Darwin. The dropline machine's 80kg main line with up to 10 branch lines attached tends to tangle badly in rough weather and processing aboard can be very hazardous, if not nearly impossible.

If for no other reason, it seems likely that Australian fishermen will be following the example of the Japanese and freezing the fish whole to ensure maximum fishing time and a quality product.

While there is still a considerable amount of work to be done, the impressive Japanese catches indicate a bright future for local dropline fishermen, providing that buyers will accept whole fish.

CSO: 5200/7549

AUSTRALIA SAID TO LAG IN JOINING PACTS ON SAFETY AT SEA

Canberra THE AUSTRALIAN in English 1 Jul 82 p 15

[Article by Captain Vic Sanderson]

[Text] **THE Australian Government is lagging badly in ratifying a long list of international conventions and treaty instruments designed to promote new international standards of safety at sea.**

In fact, it is so far out of step with other developed nations that it looks like falling into bed with the USSR as one of the few nations whose ships cannot be legally inspected in leading world ports.

The operation of ships by shipping companies and the actual working of the ships in port and at sea by the personnel afloat is governed by national and international regulations, conventions and treaty instruments.

International conventions and treaty instruments have, since it began operation in 1959, been the prerogative of IMCO, renamed as from May 22 the International Maritime Organisation.

IMO has been instrumental in the preparation and adoption of 28 international conventions or other treaty instruments. It has also been assigned responsibility for the administration of three other treaty instruments under its auspices.

Out of these 31 treaty instruments in respect of which IMO exercises responsibilities of various kinds, 21 are either in force or have fulfilled the requirements for entry into force.

Of the remaining 10, two are protocols to revise units of account provision in the earlier parent conventions.

Therefore only eight conventions or treaties dealing with substantive matters have not yet received the ratification required for entry into force.

It is universally accepted that the only hope of achieving and sustaining the desired level of safety at sea and pollution prevention is through the global and effective application of international standards.

Thus the conventions and regulations adopted by or under the auspices of IMO constitute the indispensable core of the international regulatory regime in this field.

The governing organs and 121 member States of IMO, of which Australia is one, have repeatedly declared their commitment to promoting the widest and most effective possible implementation of these international treaties.

Coming to Australia's role concerning these important international instruments, we encounter a peculiar anachronism. Australia is not among the 70 of the 121 IMO members who have ratified one or more important conventions and instruments now in force.

Australia has only signed the International Convention on Tonnage Measurement of Ships, 1969, which is not yet in force, but is expected to enter into force this year.

In respect of pollution of the sea by oil, Australia initiated and signed the 1971 Great Barrier Reef Amendments and also signed the 1971 Tanks Amendments.

Neither of these amendments is yet in force.

The result is that Australia is still a totally non-convention country. This has already presented international anomalies and could lead to many more complications.

For example, to name but one anomaly, Australia still not having ratified the first three conventions and the protocol dealing with safety of life at sea, the Department of Transport and Construction cannot issue safety certificates, safety equipment certificates or safety radio certificates to vessels of the 53 countries which have ratified the conventions and the protocol.

Now a new interesting development has arisen through the so-called Paris memorandum, signed in January by ministers of 14 European countries. It takes effect today.

The Paris memorandum provides for the uniform enforcement of a number of IMO treaties, together with International Labor Organisation Convention No 147.

The members hope co-ordinated action in European ports will rid them of substandard ships, since the Paris memorandum includes a numerical target for ship inspections that could prove highly effective if member States carry out their stated intentions to the letter.

But the Russians, who are strong supporters of IMO, have already told IMO their maritime authorities will recommend that masters of Russian ships protest against attempts to enforce the new measures on the ground that Soviet ships are subject to control in foreign ports only in accordance with the provisions of international conventions to which the USSR is party, and reserve the right to call a debate on whether the Paris memorandum is compatible with IMO.

This development highlights several tricky questions regarding the rights of port States to demand compliance with conventions in cases where the flag States involved are non-contracting parties.

If the forthcoming debate rules in favor of the Russian argument, then no Australian ships in Europe could be inspected by port States, because Australia is a non-contracting party to any IMO treaties in force.

CSO: 5200/7551

BRIEFS

DUNTROON BASIN OIL SEARCH--A big US oil exploration company, Getty Oil Development, will lead a consortium spending $40 million over the next six years on exploration in the Duntroon Basin, west of Kangaroo Island. The Minister for National Development and Energy, Senator Sir John Carrick, said yesterday that the consortium planned to drill a minimum of four exploration wells and conduct 4000 kilometres of seismic study over the 23,343 square-kilometre basin. There are now five exploration permits operating off the South Australian coast. Getty's partners in the new consortium are: Ampol Exploration, Natomas Petroleum International and Sovereign Oil Australia. [Melbourne THE AGE in English 30 Jun 82 p 22]

OCEANIC RESEARCH BODY--SYDNEY University is to join forces with the Department of Defence to establish an ocean sciences institute. The institute, to be set up at the university, will involve members of the department of geology and geophysics including the department head, Professor Graham Philip, Associate Professor Gordon Packham and Dr David Falvey. Both parties are especially concerned with research into the continental slope around Australia. The setting up of the institute will enable them to share costs and give the university researchers access to navy research voyages. The research to be carried out will be of a purely scientific nature For example, evidence will be sought to support theories that changes in the earth's crusts caused Australia, Antarctica and New Zealand to drift into their present positions. [Canberra THE AUSTRALIAN in English 7 Jul 82 p 13]

CSO: 5200/7551

COUNCIL OF STATE ISSUES DECREE ON TERRITORIAL WATERS

BK081211 Phnom Penh SPK in French 0404 GMT 8 Aug 82

[Text] Phnom Penh, 8 Aug (SPK) -- The Council of State of the PRK has just promulgated a decree on the limits of the PRK's maritime zones and continental shelf.

The full text of the decree, signed on 31 July by Chairman of the Council of State Heng Samrin, reads:

The chairman of the Council of State, considering that the PRK has full sovereignty and inviolable rights over its territorial waters and its continental shelf;
Considering that the PRK must watch over its sovereignty, security and national defense toward the sea and ensure the best exploitation of natural resources in its territorial waters and continental shelf in order to serve the national defense and reconstruction efforts and the improvement of the people's living standards;
Considering the Constitution of the PRK;
And the Council of Ministers having been informed;
Has decreed the following:

Article 1

The full and entire sovereignty of the PRK extends beyond its territory and internal waters to a maritime zone adjacent to its coasts and its internal waters, designated by the name of the territorial waters of the PRK.

This sovereignty also extends to the airspace above the territorial waters of the PRK as well as to the seabed and subsoil of these waters.

Article 2

The width of the territorial waters of the PRK is 12 nautical miles (1 nautical mile equaling 1,852 meters) measured from straight baselines, linking the points of the coast and the furtherest points of Kampuchea's furtherest islands; these baselines are traced along the low-water mark.

These straight baselines are concretely defined in Annex 1 of this decree.

The internal waters of the PRK are the waters located between the baseline of the territorial waters and the coasts of Kampuchea.

Article 3

The outer limit of the territorial waters of the PRK is a line each point of which is at a distance equal to the width of the territorial waters from the closest point of the baseline.

In the maritime zone between Kach Kut Island and the terminus of the land border between Kampuchea and Thailand, the limit of the territorial water of the PRK follows the dividing line of the maritime waters determined by the historic border stipulated in the Franco-Siamese treaty of 23 March 1907.

Article 4

The contiguous zone of the PRK is a maritime zone located beyond and adjacent to its territorial waters, with a width of 12 nautical miles measured from the outer limit of the territorial waters of the PRK.

In its contiguous zone, the PRK exercises necessary control in order to oversee its security and to prevent and check violations of its customs, fiscal, health and emigration and immigration laws.

Article 5

The exclusive economic zone of the PRK is a maritime zone located beyond its territorial waters and adjacent to the latter. This zone extends to 200 nautical miles measured from the baseline used to measure the width of the territorial waters of the PRK.

The PRK has sovereign rights over the exploration and exploitation and the preservation and management of all organic or inorganic natural resources of the seabed, of its subsoil and of the waters above it and over other activities leading to the exploration and exploitation of its exclusive economic zone.

In its exclusive economic zone, the PRK has exclusive jurisdiction regarding the setting up and use of installations, devices and artificial islands and marine research; and has jurisdiction over the preservation of the marine environment and the control of pollution.

Without prior authorization or agreement by the PRK, foreign ships are forbidden to fish or exploit any natural resources in any form, or to undertake scientific research in the exclusive economic zone of the PRK. When they have obtained prior authorization or agreement, they must conform with the laws and regulations of the PRK concerning fishing, the exploitation of other natural resources and scientific research, and with other regulations relating to them decreed by the PRK, and must strictly carry out all obligations provided in the licenses or the contracts.

Article 6

The continental shelf of the PRK comprises the seabed and the subsoil of the submarine areas that extend beyond the territorial waters throughout the natural prolongation of its land territory to a distance of 200 nautical miles from the baseline used to measure the width of the territorial waters of the PRK.

The PRK exercises sovereign rights over its continental shelf for the purposes of exploration, exploitation, preservation and management of its natural resources comprising mineral resources and other inorganic or organic resources belonging to sedentary species living on the continental shelf.

The PRK has the exclusive right to regulate the setting up and use of installations, devices and articifical islands or drilling on its continental shelf for the purposes of exploration, exploitation or any other purpose.

All activities carried out by foreigners on the continental shelf of Kampuchea, for whatever end, must be the object of an authorization or an agreement by the PRK Government and conform with the laws and regulations of the PRK.

Article 7

The PRK will settle, be means of negotiations with interested states, all problems concerning the maritime zones and continental shelf in a fair and logical manner on the basis of mutual respect for sovereignty, independence and territorial integrity.

Article 8

The PRK will negotiate and agree with the SRV on the maritime border in the historic waters zone of the two countries fixed in the agreement on the historic waters of the two countries signed on 7 July 1982 in line with the spirit and letter of the Treaty of Peace, Friendship and Cooperation between the two states signed on 18 February 1979.

Article 9

All provisions contrary to this decres are purely and simply abrogated.

Article 10

The minister of national defense, the minister of interior and the ministers concerned are charged, each in his proper field, with the implementation of this decree.

Annex 1

The Baseline Retained for the Limitation of the Territorial Waters of the PRK

The baseline retained for the limitation of the territorial waters of the PRK is made up of segments of a line passing successively through the following points, the coordinates of which are expressed in degrees, minutes and tenths of a minute, the longitude being counted from the meridian of Greenwich.

Number	Geographical Place	Latitude (North)	Longitude (East)
1	Border point on low-water mark between Thailand and the PRK according to treaty of 23 March 1907	11° 38' 8"	102° 54' 3"
2	Kack Kusrovie	11° 06' 8"	102° 47' 3"
3	Kack Voar	10° 14' 0"	102° 52' 5"
4	Poulo Wai	09° 55' 5"	102° 53' 2"
5	Point 0 out at sea on the southwest limit of the historic waters of the PRK	According to the agreement of 7 July 1982	

CSO: 5200/2112

NEW DEEP-SEA FISHING GROUND DISCOVERED OFF NORTH ISLAND

Auckland THE NEW ZEALAND HERALD in English 17 Jul 82 p 1

[Text] **An important new deep-sea fishing ground has been discovered off the west coast of the North Island which could give new life to Auckland fishing companies.**

The area, over the Challenger Plateau — which straddles the limit of New Zealand's 200-mile fishing zone, west of Cape Egmont — has already given one company its biggest-ever daily catch of orange roughy.

Wanganui Trawlers Ltd, which has had two boats working the area for a few weeks, has been landing up to 200 tonnes of roughy a week from each boat.

The orange roughy is believed to spawn in the region in large numbers from June to August, and the research division of the Ministry of Agriculture and Fisheries is taking great interest because of the commercial potential.

Implications

A Russian joint-venture trawler, the Kalinovo, caught 80 tonnes in one day's fishing, according to the managing director of Sanford Ltd, Mr Neil Mills, who said it was the biggest daily catch taken by the company.

If the fishing ground lives up to its promise it has important implications for Sanfords and other Auckland companies because it may be the nearest deep-water fishing ground to Auckland.

The resource was discovered almost by accident last year when a Polish joint-venture trawler was working in the area.

More Work

The assistant director of the research division of the ministry, Dr Adrian Coleman, said some roughy was hauled in by the trawler in September and it was apparent the fish had just spawned.

On the strength of that discovery it was decided to send another fisheries scientist, Mr W. Van Denboek, to the area on board a Wanganui Trawlers boat during the spawning season this year.

Mr Van Denboek said the results were certainly encouraging, but that a lot more work had still to be done to gauge the full potential of the resource.

Quota Set

He said the roughy stocks of the Challenger Plateau were unlikely to match those of the Chatham Rise, but it nevertheless promised to be a very useful seasonal fishery.

The ministry established a 6000-tonne catch quota over the plateau because it had no scientific knowledge of the extent of the resource.

Local fishing companies are anxious to determine its full extent so that the quota can be lifted.

CSO: 5200/9102

BRIEFS

DEEP-SEA FISHING TRAINING--A training scheme designed to give New Zealand fishermen experience of deep-water fishing has been very successful and will continue. The 1981 budget set aside a fund of $100,000 to promote deep-sea training by employing fishermen as observers on foreign fishing vessels. So far, 11 fishermen have spent three weeks on foreign vessels. They were selected by a panel of Ministry of Agriculture and Fisheries representatives and the Fishing Industry Training Council, who chose people who might one day skipper a deep-sea fishing vessel. A further $100,000 has been allocated so the scheme can continue for another year. It may be modified to enable fisherman to work on board the vessels instead of just observing. [Text] [Wellington THE EVENING POST in English 12 Jul 82 p 32]

CSO: 5200/9103

'CHINA POST' ON U.S. OPPOSITION TO SEA LAW TREATY

OW310124 Taipei CHINA POST in English 23 Jul 82 p 2

[Editorial: "Law of the Sea Treaty"]

[Text] What is easily the longest negotiated treaty in modern times has finally been signed by all countries except the United States. The Republic of China has a vested interest in the treaty. It covers such things as sovereignty over the waters surrounding Taiwan, ownership of mineral rights, fishing rights and other items.

It is difficult to comprehend why U.S. President Reagan remains opposed to the treaty. The United States has its own fishing rights to protect and control of the waters off its two coasts. Only three other nations voted against the treaty: Israel, Turkey and Venezuela. Another 17 countries, including Great Britain, West Germany and Italy, abstained.

The Reagan administration is opposed to the provisions of the treaty controlling deep seabed mining. The treaty provides for the establishment of an international mining control organization. Mr. Reagan complains the treaty may be amended without U.S. approval. He also charges the treaty would not guarantee mining companies access to the seabeds and would thwart future development of seabed minerals. On the other hand, the developing nations want to prevent the large nations from dominating the seabed mining. Some 130 countries supported this provision.

It is known that the ocean depths abound with valuable minerals, including iron, copper and manganese. What may prove to be even more important is the fact the seabeds abound with new sources of food. Scientists believe that in the future the ocean beds will be able to provide the food for the world's expanding population.

In any event all of these developments are for the future. It will take decades to devise the methods of extracting the sea's mineral wealth. This is why the objections of the United States and other countries seem trivial. The immediate benefits, including water navigation and overflight rights, are more important. The Reagan administration insists the current international laws will protect America's rights.

It is easy to understand why nations which do not have any coastline are eager to share in the potential wealth. They have no concern with navigation and fishing rights.

Mr. Reagan's fears that the treaty will be amended probably are correct. The existing treaty, for example, does not deal effectively with the rights to food from the seabeds. In our judgment, the important fact is that a start has been made in the ambitious effort to develop and share the wealth of the seabeds.

CSO: 5200/2112

DETAILS OF TRINIDAD-TOBAGO, VENEZUELA FISHING AGREEMENT

Port-of-Spain TRINIDAD GUARDIAN in English 17 Jul 82 p 1

[Article by Ed Wynn Brant]

[Text] TRINIDAD and Tobago fishermen who operate small boats can fish without permits in Venezuelan waters, south of Trinidad and north of Patos but not in the special zones.

Venezuelan fishermen, too, now have the same facility in Trinidad's waters--to operate small boats off the north and south coasts.

This agreement was the high note struck by the Trinidad-Tobago/Venezuela Fishing Commission which met in Port of Spain over the past three days.

In a joint interview, Mrs Annette Auguste, Trinidad-Tobago Ambassador to Caracas who led this country's talks, and General Ramon Enrique Mendonza Ibarra, Director General of Frontiers in the Venezuelan Ministry of Foreign Affairs, said that Article 5, Subsection 3 of the fishing agreement between Trinidad-Tobago and Venezuela was ratified.

It allows artesanal (pirogues with nets and other fishing gear) vessels to operate outside the specific zones identified in the treaty in each others territorial waters without permits.

Non-artesanal vessels--the deep sea trawlers such as those owned by the National Fisheries Company--were still prohibited from fishing because of the threat posed to marine environment.

Oceanic Surveys

The Mixed Commission, however, said that scientific and technical surveys were underway to determine the volume of fish in the area and how much could be harvested.

Venezuelan fishermen, mainly from Guiria and Carupano, have eight applications before the Ministry of Agriculture, Lands and Food Production for permits to operate large trawlers off Trinidad's north coast.

Mrs Auguste said that studies would have to be carried out to determine the feasibility of fishing by trawlers; small boats, however, were free to operate in the area.

The Mixed Fishing Commission recommended that the two countries cooperate in managing the resources of the areas under the agreement. Mrs Auguste said that one of the recommendations was that Venezuela share its reports and technical and scientific data with Trinidad-Tobago.

General Mendoza said the Venezuelan Government had contracted French oceanographer Jacques Costeau to carry out oceanic surveys. In the past private and public marine surveys have been carried out by the University Orinete, La Salle Foundation and the Institute of Technology and Petroleum.

He said the surveys are to be broader, taking in more of the region.

Yesterday, the eight-member delegation split in two with General Mendoza holding talks with Mr Kamaladdin Mohammed, Minister of Agriculture, Lands and Food Production.

Other members visited Cedros and held talks with the fishing Association. General Mendoza said he was aware of requests made by Trinidad for more permits for Cedros shrimpers.

A survey would be carried out to determine how many permits would be required, he said.

The talks were the sixth since the bilateral treaty was signed in Port-of-Spain in December 1977. General Mendoza said talks should be held at least twice a year to re-evaluate the treaty and study problems arising out its implementation.

The meeting was held at the invitation of the Trinidad-Tobago Government and the next meeting will be held in Caracas. Three representatives from each country are appointed commissioners to oversee the treaty.

CSO: 5200/7550

BRIEFS

CARIBBEAN MARINE MANUAL--PORT-OF-SPAIN, Trinidad, Friday, (CANA)--The London-based Commonwealth Science Council is preparing a marine manual for the Caribbean, with advice on how to survey coastal waters and study the flora, fauna and fish in an effort to exploit marine resources, according to the Trinidad Express newspaper. The publication, expected to be ready by August, will be issued to Commonwealth member nations free of charge. The council's decision to publish the manual came out of the recommendations of a workshop in aquaculture and marine methodology recently held here and attended by regional Commonwealth states. The classes were aimed at training scientists in the study of fish and animals and plants in local waters, so that their potential for food production can be assessed. Trinidadian Dr. Doon Ramasaroop, deputy director of the Trinidad institute is editing the manual, which will also provide practical guidelines on data analysis, and interpretation, simple survey methods and problems as well as constraints associated with methods. The workshop here was the latest in a series of activities mounted by the CSC as part of its regional natural products programme for the Caribbean launched in 1979. [Bridgetown ADVOCATE-NEWS in English 17 Jul 82 p 3]

CSO: 5200/7550

BRIEFS

FISHING AGREEMENT WITH PORTUGAL--Maputo, August 9--Portuguese vessels will be allowed to fish for prawns in Mozambican waters next year in return for Portuguese training and technical support for the Mozambican fishing fleet. An agreement signed here at the weekend set the Portuguese prawn quota at 700 tons and kept open the possibility of forming a joint Mozambican-Portuguese fishing company. The agreement is one of several first discussed during the visit of Portuguese Prime Minister Pinto Balsemao to Mozambique in June. Portugal had imported large quantities of Mozambican prawns and other seafood, but since Mozambican independence in 1975, these goods have had to be bought through other countries having fishing agreements with the African state, such as Spain, the Soviet Union and Japan. (A.F.P.) [Text] [Paris AFRICA AFP in English 10 Aug 82 p 19]

CSO: 5200/5674

BRIEFS

SWEDISH FISHERMEN FINED BY NORWAY--Swedish fishermen are bitter over what they say is a tyrannical act against the fishing boats "Timor" and "Vingaborg." The police in Kristiansand have now obtained guarantees that the fines totaling 140,000 kroner will be paid. But the skippers have refused to acknowledge the fines, and so preparations are being made for a trial in Kristiansand in November. Björn Lindblad of the Swedish National fishermen's Association has protested strongly to the Ministry of Foreign Affairs against the action taken. "We are protesting against the brusqueness of the Norwegian action," Lindblad told NTB. "The boats had a right to be in Norwegian fishing waters. For that reason the Coast Guard's conduct is remarkable." He points out that the Coast Guard fired several warning shots before the Swedish boats stopped. Karl Henrik Sjursen, desk sergeant at the police office in Kristiansand, says that according to his information the Swedish vessels had a concession to fish for herring in the part of the Skagerrak that is open to a limited herring fishing. The Swedes for their part insist that there were no fish on board when the vessels were boarded by the Coast Guard. The fines were imposed because the skippers tried to avoid a check on the catch and the equipment. [Text] [Oslo AFTENPOSTEN 27 Jul 82 p 4] 8815

GREENLAND RAISES NORWEGIANS' FINES--The Norwegian shrimp trawlers "Peder Aarseth," "Jan Mayen," and "Hærøyværing" have been fined from 50,000 to 150,000 kroner by the authorities in Greenland for incorrect reporting of their catches. The Fishing Boat Owners' Association is reacting to the fines, which the organization considers too heavy. "It is regrettable, of course, that Norwegian fishing boats have been seized for incorrect reporting, but imposing fines of between 50,000 and 150,000 kroner is going too far," says Ola Solbjørg, secretary general of the Fishing Boat Owners' Association. Solbjørg says that these fines indicate that inspection off Greenland has been intensified, but rejects the idea that the authorities in Greenland are consciously trying to make conditions difficult for Norwegian shrimp trawlers. "The intensified inspection is partly occasioned by rumors that big factory trawlers were catching cod and representing their catches as rosefish." Solbjørg told NTB. The biggest fine, 150,000 kroner, was imposed on the trawler "Peder Aarseth" of Ålesund, while the "Jan Mayen" of Herøy drew 50,000 kroner and the trawler "Herøyværing" of Ålesund 80,000 kroner in fines for having reported to small a catch. There are 20 Norwegian vessels in all engaged in shrimp fishing off Greenland on a concession basis. The boats have quotas of between 30 and t0 tons, depending on the size of the boats, Secretary General Solbjørg explained to AFTENPOSTEN. Most of the shrimp fishing is done off West Greenland, where the Norwegian trawlers have a quota of only 850 tons of shrimp. On the east coast of Greenland the Norwegian fishermen have a quota of 1,750 tons in all, but water and weather conditions have made conditions so difficult that it has not been possible to fill the quota thus far. [Text] [Oslo AFTENPOSTEN 27 Jul 82 p 4] 8815

CSO: 5200/2105

FISHERIES MINISTER UNDER ATTACK FOR HANDLING OF EC QUOTAS

Fishermen: 'Hjortnaes Selling Out'

Copenhagen BERLINGSKE TIDENDE in Danish 6 Jul 82 Sect III p 3

[Article by Ib Christiansen]

[Text] The Danish Fishing Industry and Export Association is surprised and shocked that Fishery Minister Karl Hjortnaes has proposed to the other EC countries fish requirements that are considerably less than the quotas which the industry regards as absolutely essential to maintain employment and to avoid reductions in production.

The Danish Fishing Industry and Export Association desires a quota of 40,000 tons of mackerel, but Karl Hjortnaes argued for a quota of only 25,000 before the meeting of the council of ministers at Brussels. And while the industry regards 40,000 tons of herring as necessary, Hjortnaes has set the quota for that variety at only 15,000 tons.

Director Poul Torring of the Danish Fishing Industry and Export Association says that the organization continues to believe in the assurances of the minister that he will only accept an agreement with which the fishermen and industry are satisfied. On the other hand, however, there is in the industry a declining confidence in the competence of the minister when negotiations are renewed under Danish chairmanship.

Sources in the industry indicated to BERLINGSKE strong dissatisfaction that the minister's demand was revealed to the public and the other ministers of fisheries before the negotiations. Karl Hjortnaes said yesterday that he did not understand the fear of the industry fishing organizations that he was about to sell out Danish interests.

The EC Commission has now made a compromise proposal with an increase in the total catch, including, among others, an increase in the mackerel quota from 101,000 tons to 375,000 even if that figure is far too high, according to the biologists. Karl Hjortnaes is not of the opinion that the compromise proposal will make it any easier to reach a satisfactory result.

Minister Defends Negotiating Stand

Copenhagen BERLINGSKE TIDENDE in Danish 9 Jul 82 Sect II p a

[Article by Ib Christensen]

[Text] Fishery Minister Karl Hjortnaes does not believe that the fishermen on Laeso are right in maintaining that a new EC directive increasing the mesh size from 53 to 60 millimeters will devastate most of the Kattegat island's lobster fishing operation and industrial production with an export value of 40 million kroner.

The island's fishermen are refusing to follow the directive. Karl Hjortnaes granted them dispensation from the new rules a year ago but it has now expired. The fishery minister rules out to BERLINGSKE any question of a new dispensation and does not conceal the fact that he regards the fear of the fishermen for an increase in the wastage percent to be strongly exaggerated.

"I have been on Laeso earlier and discussed the matter but I have never regarded the fishermen's argument that it will destroy their lobster fishing particularly convincing. Lobster fishing is carried on in other countries with this mesh size."

"I granted a dispensation from the rules at that time since Sweden had not increased the mesh size. I regarded it as not reasonable to carry it out unilaterally. Sweden has now done so as a result of a treaty with the EC, and that means that the fishermen who operate in the Swedish zone must abide by the Swedish regulations regarding the mesh size. As I understand it, a significant portion of the lobster fishing is actually in the Swedish zone."

"Regardless of what I do, the increase has been put into effect, and the Danish lobster fishermen are obliged to abide by it," Karl Hjortnaes says.

The Laeso fishermen will hold an emergency meeting on Saturday to consider the situation. Their chairman, Bent Rulle, from Osterby, says, "Together with fishermen from Skagen and Frederikshavn, we have shown the minister the difference between the two mesh sizes, and Karl Hjortnaes appeared to be very convinced that we are right when he was here."

"To be sure, we can fish with the large mesh, but the percentage of waste will increase. All previous experience shows that," says Bent Rulle, who does not understand how the minister can question the fishermen's criticism. He informs us that many of the Laeso fishermen have obtained the new nets after being threatened with police action by the fishery inspectors.

6893
CSO: 5200/2092

MINISTER REJECTS ATLANTIC FISHERIES WIDENING, CITES EC TALKS

Copenhagen BERLINGSKE TIDENDE in Danish 30 Jul 82 Sec III p 3

[Text] Fisheries Minister Karl Hjortnaes rejected the demand by Danish fishing organizations that herring and ocean fishing be opened up west of Scotland in an effort to save the jobs of 150 fishermen and 1,200 people working in the fishing industry.

These jobs are in jeopardy partly because 6 to 8 big fishing cutters in Hirtshals cannot follow their usual practice of fishing for capelin in the North Atlantic during the next 3 months. The EC Commission has entered into an agreement with Iceland and Norway to ban the hunt after this small industrial fish, but the agreement--which the Icelanders claim is needed to protect the threatened fish population--was arrived at without consulting Danish fishing organizations.

After a meeting yesterday with the Hirtshals fishermen and the Danish Ocean Fisheries Association, Karl Hjortnaes said that continuing the capelin fishing would not in itself save the profitability of the fishing fleet, although such fishing would be a comfort in a very difficult period.

The fishing organizations have proposed that Denmark open up for herring and mackerel fishing in an area west of Scotland instead. There is some basis for this, because the EC fishing agreement has not yet been renewed.

But even though the fishing organizations have a strong argument, namely that such countries as Holland and Great Britain are fishing west of Scotland even though no quotas have been set there, it would be unwise to follow their example, according to Karl Hjortnaes.

He referred to the complicated EC fishing negotiations and said that in this delicate situation, a provocation would be inappropriate.

And just as we regard the fishing in the area by the Dutch and the British as illegal, other countries would regard us the same way, the fisheries minister pointed out.

Thus, no solution is in sight. The cutters can continue to fish for herring in Skagerak, but when this ends on 21 August they must lie idle in port, at least until the end of September when the EC Commission resumes the fishing negotiations, which have broken down several times.

"We simply must believe that it will be possible to reach an agreement this time," said Karl Hjortnaes.

6578
CSO: 5200/2108

BRIEFS

WHALING BAN PROTEST--Reykjavik--The Icelandic Government will protest the decision by the International Whaling Commission banning all whaling activities from 1986, well-informed sources in Reykjavik said. Nevertheless the authorities in Iceland will take plenty of time to assess the situation. According to the rules of the International Whaling Commission, member nations have 3 months in which to voice their objections to the commission's decisions. A nation protesting is not obliged to comply with the commission's decisions. Even if Iceland does protest, the country will probably suspend all whaling in 1986. On Monday, [26 July] the United States announced that sanctions will be introduced against countries not respecting the ban. In U.S. law it is possible for the United States to implement sanctions against countries which do not comply with international decisions. In 1981 almost 20 percent of total Icelandic exports went to the United States. [NORSK TELEGRAMBYRA Magnus Gudmundsson dispatch] [Text] [PM050927 Oslo AFTENPOSTEN in Norwegian 29 Jul 82 p 4]

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END

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22 September 1982

Worldwide Report

LAW OF THE SEA

No. 209

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No. 209

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BRIEFS

VIETNAM-USSR FISHING COOPERATION--Since early this year, the Haiphong branch of the Central Marine Products Corporation has received 1,600 tons of sea fish from various Soviet trawlers under a program of cooperation between Vietnam and the Soviet Union. This volume of fish exceeds the plan set for 1982 by more than 100 percent. [Hanoi Domestic Service in Vietnamese 1430 GMT 21 Aug 82 BK]

CSO: 5200/2114

UNITED STATES ERRED IN REFUSING TO SIGN CONVENTION

Jakarta KOMPAS in Indonesian 16 Jul 82 pp 1, 12

[Text] The American government will not profit from its refusal to sign the Law of the Sea convention. The United States must broaden its thinking in connection with the international Law of the Sea. Jusuf Wanandi of the Center for Strategic and International Studies expressed this opinion to KOMPAS, regarding the American refusal to sign the Law of the Sea agreement.

Before traveling to Nicosia, Cyprus to attend a meeting of nonaligned foreign ministers, Foreign Minister Kusumaatmadja said he will express his disappointment to President Reagan, who refused to sign the convention. The Foreign Minister finds it difficult to understand the reasons behind the American refusal to sign the Law of the Sea convention, which is the product of years of study.

According to Jusuf Wanandi, the convention is actually in keeping with American interests as a superpower. The convention gives the United States freedom in strategic military matters in international waters, subject to certain conditions.

"The United States erred in refusing to sign the Law of the Sea convention," said Jusuf Wanandi. "Does the United States feel more secure in traversing the waters of other nations without subscribing to the Law of the Sea?", Jusuf asked. He answered his own question, "I suppose, of course, the United States, as a great power, can enforce its wishes to carry out undersea exploration and exploitation. But this will upset other nations. This means the United States will not feel secure in carrying out such efforts."

"Although the United States plans to sign a mini-agreement with its allies, will this guarantee that American industrialists will dare to carry out under sea efforts? Definitely not! Those industrialists will be concerned about security in the progress of other operations," Jusuf Wanandi continued.

Actually, the United States is influenced by private enterprise, and by Ronald Reagan's "free market ideology." They fear subscribing to the agreement will limit exploration by American enterprises. However, if the United States signs the agreement, it will actually guarantee the security of her undersea mining efforts.

Japan and France, two technologically advanced nations who agree with the Law of the Sea, will profit by replacing the American position. Japan and France will carry out exploitation. If that happens, American enterprises will have to share with the enterprises of those two nations. The Law of the Sea is really in keeping with American national interests, particularly with regard to the strategic military aspect, and it will not curtail the American role in exploitation.

The American delegation to the Law of the Sea conference last March in New York made a proposal. This was the means to completely disrupt the draft convention which was the product of the labors of the majority of the nations of the world. The Group of 77 carefully studied the proposal. All sides want the convention to be signed in September. And, according to plan, the treaty will be ratified in Caracas, Venezuela at the end of the year.

The United States stressed the question of mining in international waters. Third world nations wanted such mining to be managed by a body under UN authority, with all humanity sharing in the benefits. The United States did not agree.

Indonesia is stubbornly fighting for the international Law of the Sea. Our "Archipelago Concept" is no longer a problem in the draft convention. But Indonesia will be very pleased when the United States, as a great power, joins it. Of course, Indonesia is an interested party in regard to the Archipelago Concept. With this concept, our exclusive economic zone and our vital waters will receive international recognition.

9197
CSO: 5200/8213

GOVERNMENT ALLOCATIONS OF DEEPWATER FISHING RIGHTS BARED

Management Controls

Auckland THE NEW ZEALAND HERALD in English 30 Jul 82 p 3

[Text] **Government allocations of fishing rights to New Zealand's deep-water fishery resource should be the subject of some hard talking within the industry over the next few weeks.**

Although most of the country's major fishing company leaders declined to comment in detail on the allocations last night, some privately expressed disappointment.

The document containing the announcement of the allocations proposes administrative allocation of fishing rights to the country's deep-water fishery resources.

Nine Firms

Under the Government's plan, nine major New Zealand companies will be given specific catch allocations and a further allocation will be made to cover owner-operator fishermen on a competitive basis.

The allocations to the nine big companies were decided on the basis of historical performance and investment in the industry.

It was understood last night that the nine companies' allocation amounted to 112,000 tonnes while the owner-operators had been allocated 17,000 tonnes of seven species of deep-water fish resource.

The percentages of the tonnage allocated to the major companies are: Sealord Products Ltd, Nelson, 21.6 per cent; Fletcher Fishing Ltd, Auckland, 17.5 per cent; Sanford Ltd, Auckland, 16.9 per cent; Feron Seafoods Ltd, Timaru, 6.4 per cent; Skeggs Foods Ltd, Dunedin, 5.6 per cent; Wanganui Trawlers Ltd, 5.3 per cent; Amaltal, 4.8 per cent; Jaybel Nichimo Ltd, Auckland, 4.8 per cent; Watties, 3.9 per cent.

Big Vessels

The proposals state the fishing rights would be allocated for 10 years to give successful applicants assured access over a period long enough to enable them to plan their investment and effort in reasonable confidence.

Dealing with fishing management controls, the document says it it essential that large vessels should not be permitted to fish inshore waters.

It is proposed that all vessels of 40 metres overall length or more be excluded from the 12 nautical miles of territorial sea and other areas closed to foreign trawling.

The total allowable catch aggregate, including squid, is about 350,000 tonnes. In 1981 the deep-water fleet caught about 164,000 tonnes.

Meanwhile, a fisheries management area to protect young fish stocks in the Bay of Plenty was declared by the Minister of Fisheries, Mr MacIntyre, yesterday.

The major regulation changes were designed to control overfishing of juvenile fish stocks, he said.

Three nursery areas have been created in which all Danish seining and trawling are prohibited from January 1 to April 30 next year.

The management area extends from the Needles at Great Barrier Island to East Cape. The nursery areas are at Kennedy Bay and between Haurere Pt and Te Kaha Pt, and also at Waikawa Pt and Orete Pt.

At Pegasus Bay the nursery area has been extended from Kairaki north of the Waimakariri River to the east head of Okains Bay.

Herald Reporter and Press Association

Other Regulations

Wellington THE EVENING POST in English 29 Jul 82 p 4

[Text] **The Government has decided to make it illegal for fishing craft to carry under-sized-mesh nets.**

The decision is the effect of one of several amendments to the Fisheries (General) Regulations, 1950, gazetted today.

Announcing these, the Minister of Agriculture and Fisheries, Mr MacIntyre, said that previously it was illegal to use under-sized-mesh, but there were no restrictions on carrying it.

"This should make the regulations easier to enforce," he said.

The possession of under-sized scallops has also been made illegal by way of a new regulation.

However, details of the penalties for both new offences were not available by press time.

The regulations also set new quota limits for hake, silver warehou, and orange roughy.

New regulations, the minister said, had been added on the taking of hoki, oreo dory and ling, giving effect to special limits set by the cabinet economic committee in March.

Quota details were also unavailable.

"The regulations also require domestic vessels catching species under quota restriction outside the 12-mile territorial sea to report to the director-general (of agriculture and fisheries) in the same way as joint-venture and foreign-licensed vessels," he said.

Vessel position and species catch records were needed if the fishery was to be properly managed.

Company Complaints

Auckland THE NEW ZEALAND HERALD in English 31 Jul 82 p 1

[Text] Fletcher Fishing Ltd says it may be forced to sell two trawlers imported to New Zealand this year if Government deep-water fishing allocations are implemented.

The allocations, contained in a discussion paper issued by the Minister of Fisheries, Mr MacIntyre, this week, gave Fletcher Fishing 17.5 per cent of a total of 112,000 tonnes of the deep-water resource.

Yesterday, the managing director of Fletcher Fishing, Mr Eric Henry, was dismayed by the proposal.

It effectively meant that Fletcher's allocation had been cut, he said.

"The implementation of the proposals in their present form could force Fletcher Fishing to sell its two deep-water freezer-trawlers, Otago Buccaneer and Otago Galliard, as there would be insufficient prime species for the trawlers to fish economically," Mr Henry said.

"The new proposals could result in the liquidation of a multi-million-dollar investment in vessels, a rundown of the base and processing facilities at Dunedin, the loss of many jobs and the trust of a major effort to develop a resource which until recently was unexploited by New Zealanders.

"In the last two years Fletcher Fishing has invested over $30 million in deep-water vessels and processing and cold storage facilities in Dunedin."

Mr Henry said Fletchers had caught, processed and marketed far more prime deep-water species than it had been allocated in the discussion paper.

Another company, Sealord Products Ltd, was also unhappy with the proposals despite having received the largest allocation of 21.6 per cent of the resources.

The chairman of Sealord. Mr Richard Carter, said: 'There will be a battle on over the next few weeks because they have put too many people into too litle a resource."

Like Fletchers, Sealord's allocation was more than the new proposals offered.

The Federation of Commercial Fishermen also reacted strongly to the proposals yesterday.

"It is noticeable that the federation's name is not among those who are likely to receive allocations of a fish resource which represents one of the few opportunities for growth," said the secretary of the federation, Mr Howard Stone.

This was difficult to understand, he said because the federation represented members who collectively had between $30 and $40 million invested in the fishing industry.

CSO: 5200/9104

REPORTS ON NPC STANDING COMMITTEE SESSION

Marine Protection Law Explained

OW191600 Beijing XINHUA in English 1545 GMT 19 Aug 82

[Excerpt] Beijing, August 19 (XINHUA)--Li Ximing, minister of urban and rural construction and environmental protection, today explained the new draft law on marine environmental protection to the 24th Session of the Fifth National People's Congress Standing Committee, which opened this afternoon.

The emphasis of the law, submitted to the committee today, is on pollution prevention and protection of the marine environment, the minister said. Separate laws are being formulated to cover protection of mineral and aquatic resources.

China has 18,000 kilometers of coastline, he said, and with development of shipping, offshore oil, seaside construction and the dumping of land-based industrial pollutants, it has become pressing to safeguard the marine environment.

The new law, whose violators will be held responsible both administratively and criminally and required to pay compensation, will apply to all units and individuals within the People's Republic as well as all foreign vessels and their related activities in waters under the jurisdiction of China.

The regulations have been coordinated with international marine laws to which China is a party, he said, and were drafted on the basis of China's environmental protection law promulgated in 1979. Consultations were held among government departments, legal and marine specialists and coastal provinces, autonomous regions and municipalities.

Further on Marine Law

OW200640 Beijing XINHUA Domestic Service in Chinese 1500 GMT 19 Aug 82

[Excerpts] Beijing, 19 Aug (XINHUA) -- Li Ximing, minister of urban and rural construction and environmental protection, today explained the "PRC Law on Marine Environmental Protection" (draft) to the 24th Session of the 5th NPC Standing Committee.

He pointed out: With 18,000 of coastline (exclusive of island coastlines), a vast sea area, numerous islands and a broad continental shelf, our country is abundant in marine organisms and aquatic, mineral, offshore energy and coastal tourist resources and has favorable shipping conditions. Developing, utilizing and protecting the marine environment and resources are important tasks in the socialist modernization drive.

He said: Our country's marine environment is now polluted and impaired to varying degrees, and environmental pollution is quite serious in some estuaries, harbors, inland seas and coastal areas. With the development of marine undertakings, the number of foreign ships entering our territorial waters and foreign companies engaged in petroleum prospecting and exploiting in waters under the jurisdiction of our country has increased with each passing day. It is therefore necessary to strengthen supervision and control over the discharge and dumping of pollutants by foreign ships, platforms and aircraft in order to safeguard the rights and interests of our country.

He said: The "Law on Marine Environmental Protection" (draft) mainly lays down legal rules for the prevention of sea pollution: 1) prevention of marine environmental impairment by seashore projects; 2) prevention of marine environmental pollution by offshore petroleum prospecting and exploiting; 3) prevention of marine environmental pollution by land-based pollutants; 4) prevention of marine environmental pollution by ships; 5) prevention of marine environmental pollution caused by the dumping of waste materials. In addition, in the chapter of legal responsibility, the law stipulates that its violators will be held responsible, both administratively and criminally, and required to pay compensation.

Li Ximing said: The Law on Marine Environmental Protection" will not only have binding force on all units and individuals of our country, but involve supervision and control over foreign vessels, offshore petroleum prospecting and exploiting and foreign enterprises' activities in waters under the jurisdiction of our country. In drafting the law, attention was therefore paid to coordinating with relevant international conventions and practices.

CSO: 5200/2114

PINOCHET DISCUSSES LAW OF THE SEA ISSUES

PY201538 Santiago Diplomatic Information Service in Spanish 2341 GMT 19 Aug 82

[Text] President Augusto Pinochet delivered a speech at the ceremony commemorating the 30th anniversary of the declaration of Santiago. He referred to the significance of the declaration and to the goals attained after it was signed.

The president said that Latin American countries, with their understanding of the scope and purpose of the 200-mile thesis, have opened the way toward the ultimate recognition of that thesis. The adoption of this line of thinking in Latin America was the basic component of what would later be referred to as Latin American law of the sea which took shape in the declaration issued in Lima and Montevideo in 1970. These declarations recognize the existence of a geographic and socioeconomic link between the sea, the earth and man, a concept implicitly included in the declaration of 1952.

President Pinochet then said that the third UN Law of the Sea conference will end this year and that it has standardized the exclusive 200-mile economic zone, in keeping with the fundamental aspects of the declaration of Santiago. The UN meeting has passed into international law what some people initially regarded as a bold juridical project.

After remarking that his legal concept has already been accepted by countries with sea coasts, President Augusto Pinochet addressed Rosa Markmann, widow of the last President Gabriel Gonzalez Videla, and paid tribute to the Chilean statesman of vision. During the ceremony, staged at Government House and attended by distinguished personalities, Pinochet also cited former Presidents Plaza from Ecuador, Bustamante from Peru and Julio Cesar Turbay Ayala from Colombia.

President Pinochet recalled the benefits that Chile and the above nations have derived from the 200-mile concept. He added that Chile was the first to enforce a 200-mile zone 35 years ago because at that time some of its resources were already being indiscriminately exploited, to the detriment of the population of coastal areas.

The president added that those countries which have no continental shelf but which might make use of large fishing resources in the open ocean, as in the Pacific, had to be protected on the basis of the principle of equality. He also pointed to the work that the Foreign Ministry has undertaken for the last 30 years on this matter.

He reiterated his remarks on the benefits derived from the 200-mile concept and said that the four nations together account for 10 percent of the world's fish catch.

In conclusion, he said that in the case of Chile, the fish catch exceeds 3 million tons, thus placing our country among the world's largest fishing powers.

CSO: 5200/2114

FOREIGN MINISTER ON LAW OF SEA, ANDEAN PACT

PY262322 Lima EL COMERCIO in Spanish 18 Aug 82 p A-4

[Excerpts] Peruvian Foreign Minister Javier Arias Stella said yesterday that the "Santiago Declaration" which Peru, Chile and Ecuador signed 30 years ago constitutes the acceptance of the Law of the Sea and the implementation of the doctrine which postulates that coastal countries have sovereignty and jurisdiction over 200 miles of sea.

Arias Stella made these remarks at the end of a meeting between him and President Belaunde Terry with whom, he said, he had held a meaningful talk on the anniversary of the "declaration" which will be commemorated simultaneously by the signatories of the original document.

Concerning the reactivation of the Andean Pact, Arias Stella said that this organization is about to be relaunched. He reported that he had held a very interesting meeting with the new members of the Cartagena Accord Board with whom he discussed the steps that should be taken immediately to obtain better results.

Speaking about the authorization which the U.S. Congress granted to President Reagan to intervene in nations presumably threatened by communism, Arias Stella said that both President Belaunde and he have made categoric statements to the effect that Peru can under no circumstances support interventionist measures regardless of their source.

He added: "Peru is a pacifist nation that respects the principle of nonintervention. Therefore, any attempt at intervening by force in affairs of other nations goes against the spirit that guides Peruvian foreign policy."

CSO: 5200/2114

BRIEFS

ILLEGALLY FISHING VESSEL FINED--Maputo--A South African fishing boat captain has been fined about R30 000 and his vessel confiscated by a maritime court in Maputo for fishing illegally in Mozambican territorial waters. Captain J. Smit was detained after his Durban-registered boat, the Plumstead, was towed into Maputo harbour on August 20. Captain Smit said bad weather had forced the Plumstead close to shore when the engine failed. He denied he was fishing while in Mozambican waters. But the court found the vessel's log, testimony from some of the 18 crew and weather reports contradicted the skipper's claims. Entries in the log were cited as evidence that the Plumstead had repeatedly fished in Mozambican waters off the Limpopo estuary before the engine breakdown which led to its seizure two weeks ago. [Text] [Johannesburg THE CITIZEN in English 4 Sep 82 p 13]

CSO: 5200/5676

INTERNATIONAL AFFAIRS

BRIEFS

ICELAND, FAEROES CAPELIN AGREEMENT--Yesterday at a meeting the Icelandic Government decided to enter into an agreement with the Paeroese Administration whereby the Faeroese will not catch the 10,000 tons of capelin that was to be allotted to them by the European Common Market prior to the Oslo Talks on Capelin Resources. The Faeroese, for their part, have agreed not to use their rights and are willing to enter into an agreement with an exchange of notes between the two countries. Prior to t9e Oslo Talks on a general ban on Capelin fishing until new reports of fisheries experts have been presented, the European Common Market gave the Faeroese rights to a 10,000 ton quota. The Common Market did not think it possible to revoke the rights formally but felt that the matter should be resolved by agfeement between Iceland and the Faeroese. The agreement, which is considered to have been made today, is hopefully the last milestone along the path to a total agreement between the European Common Market, the Scandinavians and Iceland on a complete capelin ban until new reports of fisheries experts on the condition of the capelin banks have been presented. [Text] [Reykjavik MORBUNBLADID in Icelandic 11 Aug 82 p 26] 9857

CSO: 5200/2110

BRIEFS

EC CHARGE OF ILLEGAL FISHING--Karl Hjortnæs, minister of fisheries, intends to put into effect an immediate stop of the extensive industrial sprat fishing along large parts of the west coast of Jutland. That will presumably be done today. The reason for the imposition of the national ban is that entirely new Danish investigations indicate that the EC countries are right in their complaints about the fishing. The EC countries have been accusing the fishermen of camouflaged herring fishing. Fisheries Minister Karl Hjortnæs says that 58 percent of the catches consists of herring fry, and that it must now be confirmed that the fishing is illegal. Under the prevailing rules the industrial cutters must not take an incidental catch of herring amounting to more than 10 percent. In the new investigations there is also every indication that this strongly criticized fishing is to blame for the fact that the herring population of the North Sea has not increased. The herring taken by the industrial cutters are young fry of 5 to 8 centimeters, and the biologists' studies show that the herring stocks of the North Sea are recruited from the west coast of Jutland. [Text] [Copenhagen, Ib Christensen in BERLINGSKE TIDENDE in Danish 26 Aug 82 p 1] 8815

CSO: 5200/2116

EC COMMISSION EXPECTED TO ENLARGE COD QUOTA OFF WEST COAST OF GREENLAND

Godthaab GRØNLANDSPOSTEN in Danish 11 Aug 82 p 39

> [Text] [Commission] proposes a quota of 10,000 tons of cod for the FRG and a smaller quota for the United Kingdom.

Although both quotas and t.a.c. [expansion unknown] were put on the agenda at the last meeting of the fisheries council, which took place last week, they were quickly taken back off. An attempt will be made to come back to this at the next meeting of the council, which will take place 21-22 September.

Although there is thus still no joint fisheries policy at all and no quotas have been set for this year's fishing, up to now fishing has gone on under what is called a roll-over arrangement, which has meant that thus far the member countries have been able to fish in accordance with the proposals on quotas and t.a.c. that have been presented for consideration by the commission, provided they observe the other limits that exist.

New Transitional Arrangement

However, it was decided at last week's meeting to change this practice, so that the roll-over arrangement from 1 August until the next meeting of the council will be according to the fisheries pattern of the preceding year. This means that in the coming period fishing cannot be done according to the commission's quota proposal, but only according to the t.a.c. proposal, which the commission has enlarged as concerns the west coast of Greenland from 62,000 to 75,000 tons of cod, which Greenland can thus fish for until 21 September.

The decision of the council of ministers was made on British and French initiative, and for the time being it prohibits the West Germans from going to West Greenland and fishing up to the quota of 10,000 tons that the commission had intended to give them.

8815
CSO: 5200/2116

FRG STARTS FISHING OFF WEST GREENLAND WITHOUT EC DECISION

Copenhagen BERLINGSKE TIDENDE in Danish 26 Aug 82 Sect III p 3

[Text] (RITZAUS BUREAU, DEUTSCHE PRESS-AGENTUR)--The cod war between Denmark and the FRG over the size of the West German fishermen's quotas for catches off West Greenland was intensified yesterday when the federal government in Bonn, without waiting for acceptance by Denmark, released the first installment of the EC's quota, 2,000 tons of fish, to West Germany.

According to Lothar Rühl, spokesman for the West German government, Denmark will be informed through diplomatic channels of the West German decision.

The EC has allotted the FRG a quota of 10,000 tons of fish off West Greenland.

But since the fishing season off West Greenland is already beginning in late August, the West German government decided to give Josef Ertl, minister for food, agriculture, and forestry, authority to release a part of the West German quota.

The government in Bonn is of the opinion that the FRG, according to the EC's rules, also has an incontestable right to a suitable part of the fishing off West Greenland, where the waters are at the same time the most important fishing grounds for the Greenlandic fishermen.

But the West German quotas for catches off East Greenland have caused no disagreement between Copenhagen and Bonn. On the other hand, at least two German fishing vessels have been captured by the Greenland government and fined 80,000 kroner for violations of the quota, it was reported Wednesday in Bremerhaven and Cuxhaven.

Bonn--Karl Hjortnæs, [Danish] minister of fisheries, in a statement to Danmarks Radio, called it entirely unacceptable that the West Germany is taking such a unilateral step. He has expressed this to his German colleague, Josef Ertl, and proposed that a meeting that had been set for 14 September be moved up to 27 August.

"For the time being we only know that the German minister of fisheries has gotten the German cabinet's permission for the issuance of licenses to fish off Greenland. I assume that the West Germans will not engage in such a unilateral action," says Karl Hjortnæs.

"Apparently the Germans are trying to separate the question of the fishing off West Greenland from the other fisheries questions we are discussing in the EC. And on the Danish side we find that completely unacceptable. These questions must be discussed in connection with the other questions and not in isolation," says Karl Hjortnæs.

"The EC commission has proposed that West Germany be given a quota off West Greenland. Such a proposal does not give permission to start up a fishery on that basis alone. It would be completely unreasonable that a proposal that has not been adopted or approved could suddenly give a legal basis for starting up a new fishery," the minister of fisheries says.

8815
CSO: 5200/2116

LYNX HELICOPTER EXPECTED TO AID FISHERIES

Godthaab GRØNLANDSPOSTEN in Danish 11 Aug 82 p 24

> [Text] Service as a helicopter pilot on the Greenland Command's inspection ships has perhaps not become easier, but it is somewhat more satisfying now than before. The reason is the very simple one that the new Lynx helicopters are capable of doing a considerably better job than could be done with the old Alouettes, all of which have now been discarded by the fisheries inspection service.

GRØNLANDSPOSTEN's fisheries department has talked with 1st Lt Ole Bækgaard Petersen, who heads the helicopter group on the inspection vessel "Hvidbjørnen" and flies the new Lynx helicopter in his everyday work.

Actually it is possible to begin at one end and reel off the new helicopter's various advantages. In all cases it will be found that the equipment is better than was the case with the old ones.

Where the old Alouette could fly for 2 hours with a speed of a good 90 knots, the new new Lynx has a maximum speed of 120 knots (ca. 200 km/hour). With the standard tanks it can fly for 3 hours, and an extra tank gives it another good hour of flying time.

This means that the area that the Lynx can fly over for a patrol is considerably greater than was the case with the Alouette.

A radar is a new instrument on the fishery inspection service's helicopters, and the same is true of the instruments that make it fit for flying in bad weather and at night.

"We get a lot of pleasure out of the radar on inspection missions, for we can see a trawler at a distance of about 25 miles on both sides of the helicopter," says Ole Bækgaard Petersen. [The Danish mile = 4.68 English miles; that would make about 120 English miles.--Translator]

The better flying qualities are also accompanied by better landing capabilities in bad weather. The whole safety system around the helicopter platform on the afterdeck of the inspection ships has been substantially improved, and a little gadget on the Lynx prevents it from being "thrown overboard" in landing.

For it can set the rotor blades in reverse, so that they press the helicopter down against the platform with a quite considerable weight. Even if the ship should heel over violently immediately after the helicopter landing, the helicopter is thus held unshakably and safely fast.

Advanced Direction-Finding Equipment

The helicopter's most important mission, of course, is the rescue service, and when human lives are at stake the Lynx is, in Ole Bækgaard's words, quite phenomenal.

Thus it is provided with radio equipment for all types of communications radios. Conversations can be carried on with the police and over the ordinary maritime VHF radio.

As a further refinement the helicopter's equipment can also get bearings on any sender at all. Thus if a conversation is being carried on with a disabled vessel on, e.g., VHF channel 16, it is possible to find the exact direction to the disabled vessel with the direction-finding apparatus.

Although the Lynx helicopter is new on the ships of the fisheries inspection service, it has stood its tests, and that applies both to inspection missions and to transporting patients.

Transports of patients have been carried out in Greenland, too, but by far the most of the missions of that type have been accomplished in the Faeroes, where the helicopter was first introduced.

"Time and again the fisheries inspection is the only possibility when accidents occur or there is a sudden serious illness on one of the outlying islands.

"We have already coped with many of these missions, and they have all gone off satisfactorily," says Ole Bækgaard Petersen.

Of course, human lives saved cannot be measured in money, but still it is of interest what the new helicopters cost: The price of this marvel is about 14 million kroner.

8815
CSO: 5200/2116

PAPER COMMENTS ON U.S. DECISION TO REJECT LOS TREATY

Reykjavik MORGUNBLADID in Icelandic 14 Jul 82 p 16

[Editorial: "Wrong U.S. Policy"]

[Text] Ronald Reagan, the U.S. president, announced before the weekend that his government will not sign the United Nations Law of the Sea Treaty this December. The agreement has been in the works for almost a decade in the UN Law of the Sea Conference. Taken as a guiding principle in drawing up the treaty was the idea that it be successful in as many areas as possible and set up in such a way that each country gains in one area for concessions it makes in another. This way there would be no disputes about carrying out the underlying agreement. This has not been the case. The United States naturally took part in the making of the agreement and in discussions about it. When Jimmy Carter was in the White House it appeared that the agreement would be made in good accord with the most powerful nations in the world. The position of the government in Washington changed after Ronald Reagan came to power. Now the United States will not be among those sanctioning the signed treaty. The treaty was, however, approved by a wide majority at the last working session of the Law of the Sea Conference last April in New York.

This decision of the United States is wrong. It is founded on shortsightedness and will result in disenchantment worldwide, particularly in Iceland. The position of the Reagan government shows that the financial power of the international concerns having interests in the mining of the Ocean bottom minerals has more influence upon policy making in Washington than the rational views of expert advisors who make their decisions based upon an appreciation of the total situation. Reagan supporters, however, point out that there are unsatisfactory clauses in the Law of the Sea Treaty on the division of the ocean bottom minerals outside the jurisdictions of the individual countries.

The Law of the Sea Treaty is, however, much more than that. The treaty is necessary to establish laws for the oceans. Without it there could be severe anarchy as during the "Cod War" and the participants thought that bad enough. There is no doubt that the United States would strengthen its position more by signing the Law of the Sea Treaty than by renouncing it. The Icelandic government was, in its time, among the front ranks of those governments wishing the United Nations to exert itself to establish legal rules for the oceans. The Icelandic Government should now use its influence to bear to gain United States support of the outcome achieved at the UN Law of the Sea Conference.

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END

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6 October 1982

Worldwide Report

LAW OF THE SEA

No. 210

FBIS FOREIGN BROADCAST INFORMATION SERVICE

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6 October 1982

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LAW OF THE SEA

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AUSTRALIA

OFFSHORE DRILLING PROGRAM PLANNED NEAR BARROW ISLAND

Canberra THE AUSTRALIAN in English 13 Aug 82 p 9

[Article by Bruce Jacques]

[Text] A CONSORTIUM led by Occidental Petroleum expects next month to embark on a large offshore drilling program in West Australian waters just off Barrow Island.

The group is committed to a three-year program involving 14 wells, and although it is not certain how many wells will be drilled in the first year, the cost could top $40 million.

Oxy is bringing in a rig from Singapore, the Maersk Valiant, which is expected to be under tow this weekend, arrive on site later this month and be ready to spud by September 1.

The Maersk Valiant is a large jack-up style rig capable of drilling in water depths from 5m to nearly 100m — just the sort of depth variation Oxy expects to encounter in its program.

The consortium, which includes the Bond group, Pelsart, Ranger, Reading and Bates and Texas Eastern, is budgeting for the all-up cost of the program to be about $120,000 a day. The first few targets have already been selected.

Oxy, as operator, is working on the basis that the Barrow Island field is not unique and similar reservoir conditions exist elsewhere in the hydrocarbon province.

The Barrow field has about 26 different reservoirs and Oxy believes even small oil accumulations in the area could be economic.

This is mainly because of the shallow water and the fact that oil has been discovered at such depths. The prospect of utilising some of the Barrow Island infrastructure could also help the economics of any operation.

In other drilling developments, the newly-formed Cluff Oil (Pacific) Ltd. will today begin a deep water seismic survey in the offshore Western Australian permit WA171P in the north Perth Basin.

The survey will use the Eugene McDermott seismic vessel and will be followed a week later by a shallow water survey using the vessel, Banksia.

About 550km will be shot in the deep water and 100km in the shallow water.

CSO: 5200/7556

EXMOUTH PLATEAU OIL EXPLORATION PLAN DROPPED

Canberra THE AUSTRALIAN in English 16 Aug 82 p 1

[Article by Bruce Jacques]

[Text] THE Esso-BHP consortium has dealt petroleum exploration a serious blow by pulling out of a $60 million drilling program on the Exmouth Plateau because of a disagreement with the West Australian Government.

The partners relinquished both their Exmouth areas, WA-96P and WA-97P, when they failed to agree on permit terms after negotiating with the State Government for more than eight months.

And Esso-BHP's action may lead to another consortium led by the Hudbay group relinquishing its Exmouth permits.

Reserves

Already, groups led by both Woodside and Phillips have dropped expensive exploration programs on the Exmouth Plateau after failing to find oil.

The depressed business climate will make it extremely difficult for the State Government to find another consortium prepared to spend as much money as Esso and BHP.

The consortium was planning a three or four well drilling program costing at least $60 million but it is understood the Government wanted the companies to stick close to their original exploration plans.

When the Exmouth permits were issued in the late 1970s the plateau, off the northern coast, was regarded as the country's last chance for a significant new oil strike to replace dwindling Bass Strait reserves.

It was believed that if oil was found on the plateau, reservoirs would be big because of the large structures in the area.

At the time, five consortiums made unprecedented exploration commitments to win the permits. Esso-BHP's plan involved a 21-well program to cost about $128 million.

The plateau has turned out to be a deepwater exploration graveyard, with more than $200 million being spent on "dusters", or unproductive holes.

Esso-BHP drilled eight wells in 1979 and 1980 and costs increased to about $110 million, more than twice the budget.

Naturally, the consortium was reluctant to drill the extra 13 wells envisaged in the original program, although it has since accumulated more seismic data in an attempt to find potential wells.

The consortium believed it had identified a few more areas worth drilling and that its revised three to four-well program was reasonable in view of Woodside and Phillips pulling out.

Precedent

Esso and BHP have other large exploration commitments, notably a $160 million program in Bass Strait.

The State Government apparently conceded there was a strong technical argument for reducing the program but felt that to release the consortium from its original obligations while allowing it to retain the area would set a dangerous precedent.

CSO: 5200/7556

ONGC PLANS INSTITUTE FOR SEABED EXPLORATION

New Delhi PATRIOT in English 15 Aug 82 p 6

[Text]

DEHRADUN, Aug 14 (PTI).

THE Oil and Natural Gas Commission (ONGC) will set up an institute of engineering and ocean technology to explore the sea-bed more comprehensively for offshore oil.

This was announced here today by the ONGC chairman Col S P Wahi after releasing a special P and T stamp on oil exploration.

Establishment of this institute will provide necessary infrastructure for exploiting latent oil potential in various basins of the country, he said.

Col Wahi said India has tremendous oil potential in the Krishna-Godavari Basin, Cauvery Basin, Ganga Valley and in Rajasthan.

Before the turn of the century, he said, the country will be self-sufficient in oil which was vital for the economy. He said the ONGC was working on a 20-year oil exploration and production plan for harnessing oil potential in the country.

Col Wahi said the 10-year accelerated oil exploration and development plan prepared by the commission calls for a massive effort for exploring oil from the womb of the earth. Ninety per cent cost of the plan would be met by the internal resources of the commission, he added.

The commission, he said, had so far trained about 29,000 personnel engaged in oil exploration and production.

Col Wahi also laid emphasis on conservation of oil and development of alternate sources of energy both conventional and non-conventional.

The Institue of Drilling Technology, Institute of Reservoir Studies, and the K D Malaviya Institute of Petroleum Exploration are at present under the commission.

CSO: 5200/7052

OFFSHORE MINERAL EXPLORATION INTENSIFIED

New Delhi PATRIOT in English 13 Aug 82 p 5

[Text]

CALCUTTA, Aug 12 (PTI)—Side by side with intensified search for minerals like copper, nickel and cobalt on land, the Geological Survey of India is turning its attention to off-shore resources which, according to it, may ultimately turn out to be the mainstay of the future.

With this object in view, the GSI is currently engaged in getting a 90-metre long vessel, "Vishwa Vinay," made in West Germany, converted and refitted with modern equipment to undertake marine surveys, according to a GSI release here.

The release said that the remodelled research vessel, which would facilitate systematic geological and geophysical mapping and exploration of geological resources of the sea-bed within the exclusive economic zone of the country, was expected to go into operation by the end of 1982.

Vast and varied mineral resources of India, the release said can meet the rapidly growing industries of the country. But the identified resources of certain minerals are not large and cannot meet the present demand or the ever increasing requirements of a fast developing country.

This deficiency is particularly noticeable in non-ferrous and some alloying metals like copper, nickel and cobalt. The GSI's programme for sea-bed search for resources are drawn up in this context, the release added.

Scientific studies and exploration carried out on the ocean floor resources of the earth have brought out the presence of vast mineral occurrences which can meet mankind's demands for several years. The recently accelerated work to supplement the rapidly declining land deposits has reached a stage where such exploitation is feasible, it said.

According to the release, the identification of tin-bearing geological formations in the continental shelf areas and the discovery of polymetallic manganese nodules on the ocean floor have sustained the efforts to look for such deposits.

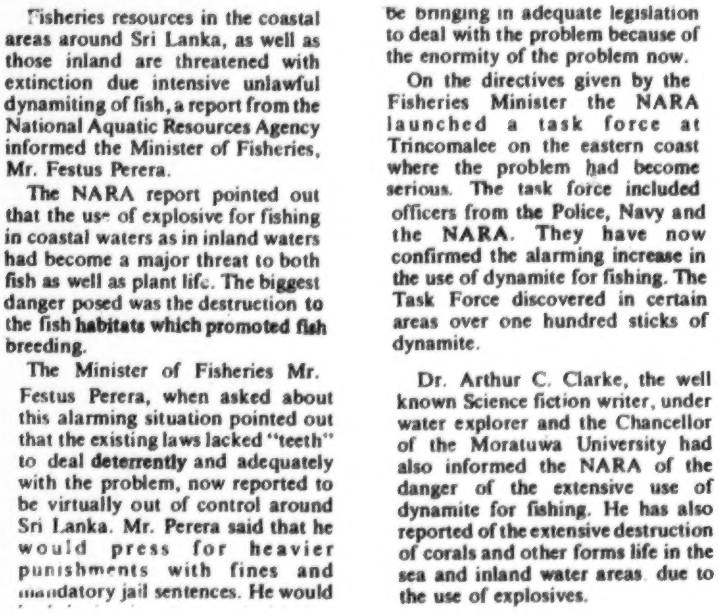
CSO: 5200/7051

FISHERIES THREATENED BY DYNAMITING

Colombo THE ISLAND in English 23 Aug 82 p 3

[Article by B.C. Perera]

[Text]



Fisheries resources in the coastal areas around Sri Lanka, as well as those inland are threatened with extinction due intensive unlawful dynamiting of fish, a report from the National Aquatic Resources Agency informed the Minister of Fisheries, Mr. Festus Perera.

The NARA report pointed out that the use of explosive for fishing in coastal waters as in inland waters had become a major threat to both fish as well as plant life. The biggest danger posed was the destruction to the fish **habitats which promoted fish** breeding.

The Minister of Fisheries Mr. Festus Perera, when asked about this alarming situation pointed out that the existing laws lacked "teeth" to deal deterrently and adequately with the problem, now reported to be virtually out of control around Sri Lanka. Mr. Perera said that he would press for heavier punishments with fines and mandatory jail sentences. He would be bringing in adequate legislation to deal with the problem because of the enormity of the problem now.

On the directives given by the Fisheries Minister the NARA launched a task force at Trincomalee on the eastern coast where the problem had become serious. The task force included officers from the Police, Navy and the NARA. They have now confirmed the alarming increase in the use of dynamite for fishing. The Task Force discovered in certain areas over one hundred sticks of dynamite.

Dr. Arthur C. Clarke, the well known Science fiction writer, under water explorer and the Chancellor of the Moratuwa University had also informed the NARA of the danger of the extensive use of dynamite for fishing. He has also reported of the extensive destruction of corals and other forms life in the sea and inland water areas due to the use of explosives.

CSO: 5200/5677

BRIEFS

SEIZED FISHING BOAT'S CREW HELD--CAPE TOWN--An urgent attempt is being made to secure the release of the 19 crew of the 44-ton Cape Town-owned fishing boat Plumstead, who are in jail in Maputo after being found guilty of operating inside Mozambican territorial waters. Mr Hugo Prigge, owner of the 37-year-old vessel, which is based in Durban, said he had made urgent application to the Mozambican authorities for a visa to allow him to travel to Maputo, where he intended appealing against the conviction. "As I understand it, the Mozambican court officials based their findings on allegations that the Plumstead had been noted operating in Mozambican waters 18 times, but this is not true," he said. "The boat moved its operational base from Cape Town to Durban only 10 months ago and this was the first time I had sent it up the Natal North Coast. It has been operating mainly off the Natal South Coast." [Excerpt] [Johannesburg THE CITIZEN in English 9 Sep 82 p 11]

CSO: 5200/5678

AGREEMENTS WITH FOREIGN COUNTRIES CONCERNING FISHING IN NATIONAL WATERS

Dakar LE SOLEIL in French 12 Jul 82 /Supplement/

/Text/

Senegal has considerable fisheries resources but not, unfortunately, the means to develop them exclusively. Consequently, in order to take fullest advantage of them, it issues international fishing licenses pursuant to agreements signed with European and African countries.

Industrialized countries having appropriate technology but no fisheries resources are more than satisfied, especially since they profit in every case. Having estimated the limitations to be respected so as to allow for reproduction of existing species, Senegal is endeavoring to make the most of usable resources not yet developed.

Fish, as is known, are not like other resources, and after two years, if they do not die, they can migrate, as tuna has done. So by calling on foreigners to engage in fishing, we derive some profit, pending the time when we shall be sufficiently equipped to do it ourselves. Fishing agreements have been signed with the EEC, Spain, the Ivory Coast, and Guinea Bissau. The latter two countries have not yet acted on the agreement: the first because it would be very costly for Ivorian boats to come and fish in Senegalese waters in view of the high price of gas-oil in Abidjan, and the second owing to non-signature of the protocol.

Reduction in Licenses

The agreements just renegotiated with Spain and the EEC are particularly characterized by reduction in the number of fishing licenses issued, following the increase in the number of Senegalese fishing boats. The authorities are trying as best they can to equalize those numbers. But following denunciation of the agreement with Poland, problems are arising concerning exploitation of small pelagic species, since the Senegalese do not venture far offshore. In consequence the balance is now broken on that point.

For, with respect to each country signing an agreement with Senegal, determination is made of the tonnage of tuna boats, trawlers, or frozen tuna boats, to be allowed to fish certain species, and the portion of the catch which must be landed to permit local seafood processing industries to operate.

In the case of the EEC, for example, tuna boats totaling 3,000 gross tons are required to land their catch, while trawlers of 2,150 gross tons are based at Dakar. Community tuna boats with freezing equipment must in addition land 23,300 tons of tuna in Senegal, in contrast to trawlers with freezing facilities which fish all year without being required to land their catch. Their total tonnage is 5,000.

The agreement signed with Spain concerns the same types of fishing. Awaiting authorization to fish under the agreement are 46 tuna boats with freezing facilities, totaling 45,900 gross tons; 20 fresh fish trawlers totaling 6,400 tons; and probably 10 whalers.

Financial Compensation

Species concerned are essentially tuna, which is migratory; deep-water shrimp, which are caught by few Senegalese boats; and dark hake, which is of no value to Senegal since it is consumed only in Andalusia and not elsewhere in Spain.

Countries signing fishing agreements pay financial compensation to Senegal, in addition to providing technical assistance. In the case of the EEC, for example, compensation is 2.5 billion for the two year period of the agreement. The EEC also participates in the research and training program, and pays higher dues than those charged Senegalese nationals.

Spain pays 2.3 billion, participates in training and research, and provides boats for training. In addition, a third of each boat's crew must be Senegalese maritime personnel.

This year's innovation consists in taking on board Senegalese observers to verify types of fish caught, areas fished, tonnage, etc. Finally, the agreement objective is no longer signed. Instead, complete renegotiation is conducted to obtain maximum profit /as published/.

Apart from licenses granted pursuant to fishing agreements signed with other countries, domestic boats wishing to fish in Senegalese waters must also be licensed. They must be as modern as possible: under 7 years old for wooden and less than 14 years of age for iron hulls.

Only boats of over 1,500 gross tons are denied fishing authorization. This decision was taken out of concern to protect local fishing industries, for refrigerated boats, being fully equipped, do not need to use local infrastructures.

The preference of the Oceanographic and Marine Fisheries authorities, no doubt, is for boats which ice their catch, and which supply national processing plants.

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CSO: 5200/5672

DANISH COURT UPS FINES FOR FRG BOATS FISHING OFF GREENLAND

Copenhagen BERLINGSKE TIDENDE in Danish 30 Jun 82 p 3

[Article by Ib Eichner-Larsen]

[Text] Yesterday the Supreme Court imposed a fine and corresponding confiscations on two FRG shipmasters for illegal cod fishing off Greenland. Karl Friedrich Egner, 53, of Fischbach, was fined 200,000 kroner and 1.7 million kroner in confiscation, while Karl Otto Erwin Behrmann, 36, of Cuxhaven, was fined 250,000 kroner and 900,000 kroner in confiscation. Moreover, the shipmasters must bear the costs. The cases were brought before the Supreme Court after the two lower courts had made diverging decisions with the aim of establishing uniform future guiding lines for fines and confiscations in such cases. For that reason, the grounds of the decision are quite detailed.

In the Egner case, the Supreme Court declares, among other things, that the need to take into consideration the preservation of the fish stock in the Greenland waters as well as the currency devaluation speak for an increase of the present level of fines. Further, "Counteracting offences of this character must primarily be made through precautions directed against the person profiting from the fisheries. The court considers 200,000 kroner a suitable fine, taking into consideration, among other things, the size, capacity, and equipment of the ship." Further, it says that due to the peculiar conditions for the investigation and prosecution of illegal fishing, the demands must be directed solely at the shipmaster concerned also in behalf of the shipping company so that the company guarantees the fine and the confiscation before the ship leaves Greenland. Under these circumstances, it is found that confiscation of the profit of the company may take place during the case. The confiscation will be done according to the value of the illegal catch at the time of seizure without deductions for an eventual processing. As the Naval Fisheries Inspection and the Greenland authorities have authority to order the foreign vessels to the nearest harbor for inspection, it is found that the price should be fixed according to prices in Greenland's harbors.

It is further added in the Behrmann case that the value of the equipment used is to be confiscated at 200,000 kroner as Behrmann has acted in behalf of the company. Nordsee Deutsche Hochseefischerei, Ltd., has put up a guarantee for the fine and confiscation of 2 million kroner of the ship "Heidelberg," of 2,556 gross register tons. Hanseatische Hochseefischerei has put up a guarantee of 3 million kroner for Egner's ship, the "Geeste," of 3,576 gross register tons. The Greenland High Court sentenced Egner to pay a fine of 500,000 kroner and 1,970,000 in confiscation, while the High Court of East Denmark Ostre Landsret fined him 125,000 kroner and a confiscation of 1,043,000 kroner. Behrmann was fined 600,000 kroner and a confiscation of equipment of 1.4 million kroner by the Greenland High Court. The High Court of East Denmark fixed the fine at 125,000 kroner and the confiscation at 386,910 kroner, but rescinded the confiscation of the equipment as it was not owned by the shipmaster.

9892
CSO: 5200/2087

FRG, DENMARK NEARING COD WAR OVER WEST GREENLAND FISHERIES

Greenland Leader: May Interrupt FRG Visit

Copenhagen BERLINGSKE TIDENDE in Danish 31 Aug 82 p 1

[Article by Ole Schmidt Pedersen]

[Text] The cod war between Denmark and West Germany began in earnest yesterday when the EC Commission gave its permission to the West Germans to catch the first 2,000 tons of cod off West Greenland.

"Politically, it is an unfortunate thing for the EC and West Germany to provoke Greenland in the area of the fishing policy. In so doing, they give Greenland its last kick out of the EC," says Poul Tørring, president of the Danish Association of Fish Processors and Fish Exporters.

Poul Tørring says, incidentally, that the decision by the EC Commission is based on an extremely dubious interpretation of the present fishing regulations. He says that the consequence must be for the Danish government to allow mackerel fishing contrary to the EC quota.

Denmark has already lodged its protest against the decision by the EC Commission. However, it is not conceivable that the supreme authority of the EC, the Council of Ministers, will set aside the decision. The Council of Ministers has already received a proposal from the EC Commission for a total West German quota of 10,000 tons off West Greenland.

The chairman of the local Greenland government, Jonathan Motzfeldt, stated after an emergency meeting last night that if German trawlers arrive off the west coast of Greenland, he will immediately cancel his visit to Federal Chancellor Helmuth Schmidt.

Danish Prime Minister Sees 'Provocation'

Copenhagen BERLINGSKE TIDENDE in Danish 1 Sep 82 p 7

[Article by Lisbeth Knudsen]

[Text] The Danish government is seeking to force West Germany to agree to a solution through negotiations to the cod war off West Greenland, but the government has finalized instructions for the Danish fisheries inspection vessels for actions if the West German government fails to keep the German fishermen away from the area. The fisheries inspection vessels are already in Greenland waters.

"It looks like a provocation," the prime minister said yesterday after the approval by the EC Commission of West German fishing off West Greenland yesterday morning. The Danish government finds the decision legally untenable on concrete points and yesterday afternoon sent another note of protest to the West German federal chancellor and minister of fisheries as well as another one to the EC Commission.

"We now expect that the Germans will not start fishing in the area. However, we have worked out instructions for the inspector of fisheries, but it would not be reasonable for me to make any statements as to what may happen if it comes to the worst," the prime minister says.

After receiving the report on the approval by the EC Commission of West German cod fishing of 2,000 tons off West Greenland, the Danish government was yesterday in contact with the EC Commission and with the local Greenland government. At a meeting of ministers, it was, subsequently, decided to work out still another note of protest, containing detailed written grounds for the protest, to the West German government and the federal chancellor as well as a note of protest to the EC Commission.

The Danish government protests against the approval of the fishing on the basis of a proposal from the EC Commission which has not yet been approved by the Council of Ministers. The Danish government, furthermore, protests against the application of the so-called 'roll-over arrangement' as an argument for the approval. The arrangement implies that agreements from previous years be temporarily extended when no new agreements have been made. The government draws attention to the fact that the West Germans have not been fishing cod off West Greenland since 1978. "Under these circumstances, one can hardly claim that it is a question of rights as a result of a roll-over arrangement," Anker Jørgensen says.

To the EC Commission, the Danish government will protest against the fact that a single commissioner on duty signed the approval for the West German government. In the opinion of the Danish government, the decision could at the earliest be made at the next meeting of the EC Commission to be held on 8 September. However, the government is of the opinion that the decision cannot be made by the EC Commission alone but ought to await a meeting of the Council of Ministers to be held on 21 September. "The decision ought to have awaited a legal solution or a total clarification of the future fishing policy of the EC," says Anker Jørgensen.

After the meeting of ministers, Minister for Greenland Affairs Tove Lindbo Larsen stressed that Greenland has been approved as a so-called preferential status country within the EC, and that the decision by the EC Commission, therefore, is the more open to criticism.

Minister of Fisheries Karl Hjortnæs says that the decision by the EC Commission following the government's position is illegal. He states that there are Danish inspection vessels in the Greenland waters if West Germany decides to allow its fishermen to proceed to West Greenland, and that it will probably take the West German fishermen 2 days to reach the area.

7262
CSO: 5200/2121

DENMARK, FRG REACH AGREEMENT ON GREENLAND COD DISPUTE

Schmidt Recognizes Special Greenland Problems

Copenhagen BERLINGSKE TIDENDE in Danish 16 Sep 82 Sect III p 5

[Article by Klaus Justesen]

[Text] The new Danish minister of foreign affairs, Uffe Ellemann-Jensen, is getting high marks for his initial performance on the international political scene. Especially the West Germans have given expression to their recognition of the Danish minister's efforts during the difficult fishery negotiations late last Tuesday.

High-ranking German sources tell BERLINGSKE TIDENDE that they were both impressed and astonished that the new minister had managed to acquaint himself so soon with the details of a most complicated and circumstantial issue. Also the Danish minister's skill as a negotiator was praised.

At a cabinet meeting yesterday, the German government approved of the agreement. At the said meeting, Federal Chancellor Helmut Schmidt stressed that the German government appreciated Greenland's special problems. This statement supports the understanding that it is an implicit part of the agreement that, in the upcoming negotiations of association for Greenland with the EC, West Germany will support Greenland's wishes for a preferential status.

High-ranking Danish sources yesterday expressed their great satisfaction with the result of the prolonged negotiations. A few of them thus admitted that the result was better than they had dared hope for beforehand. From the Danish side, it was recognized that West Germany held many trump cards.

At the same time, the Danish sources warn that the dispute has not yet been finally solved. Such a solution may only be found when the EC Commission anew submits a proposal for the total quantity of cod to be fished off West Greenland and its distribution. West Germany has, so far, been granted 5,000 tons but will, undoubtedly, demand more when the temporary agreement expires in early November.

It is, at the same time, certain that the EC will now drop its legal proceedings against Denmark. The spokesman for the West German government, Klaus Bolling, stated yesterday that there, simply, is no longer any basis for the two cases. Also the German government guarantee of indemnity for damage to the fishing tackle of German trawlers in case of capture has been dropped.

The next step will be a move from the EC Commission in Brussels. Denmark adheres to the demand that no more than a total of 62,000 tons of cod may be caught off West Greenland. West Germany wants a larger quantity. However, judging from the positive spirit prevailing during the meeting last Tuesday, it seems that a compromise is within reach.

Paper Comments on Danish Negotiators

Copenhagen BERLINGSKE TIDENDE in Danish 16 Sep 82 p 8

[Editorial: "The Cod Peace"]

[Text] Karl Hjortnæs talks like a flatfish with both corners of its mouth on the same side of its head, and the results become accordingly. From one corner of his mouth, the former minister of fisheries says that the new minister of foreign affairs has sold out Greenland's fishery interests since, as a novice, he slipped on the polished floors of the international arena. And, from the other corner of his mouth, he utters, with a gurgling noise, that Ellemann-Jensen is certainly not to take the credit for the solution to the cod war which he brought home with him from Bonn, for it was an inheritance from the former government--it was the compromise arranged by former Minister of Foreign Affairs Kjeld Olesen. If he is right in making the latter claim, and that is, of course, possible, the former government must, in his opinion, also have been in the process of selling out Greenland's interests, and, then, only its departure prevented it from disavouwing its minister of fisheries itself.

The essential thing, however, is that the cod war between Denmark and Greenland has been called off on a reasonable basis and with the full support of the Greenland home rule government. The German high-sea fleet will, in the course of the coming 6 weeks, be permitted to catch a bit of the cod quota which the Greenlanders themselves have not been able to catch this year. This obligingness does not cost the Greenland home rule government anything, and it will not harm the fish stock. It will not prejudice subsequent fishery agreements, but it will result in some degree of relaxation prior to the coming negotiations on the joint fishery policy. The legal proceedings brought by the West German government against Denmark before the EC court of justice will be dropped, and the evaluation on the part of the experts of advisable and permissible fishing will be taken up for renewed consideration. And, by way of obligingness on the part of the West Germans toward Greenland, the West German government has promised to take a positive attitude toward the question of special arrangements for Greenland once it withdraws from the EC. This is not a promise which will cost the West Germans anything today, but it, nevertheless, is of value.

If the main lines of this compromise were arranged by the former minister of foreign affairs during his talks last week with Under Secretary Wischnewski, Kjeld Olesen is welcome to his share of the credit. The government had been maneuvered into an entirely untenable position by its minister of fisheries, who stuck so stubbornly to his lonely corner on the polished floors as if he had pitch under the soles of his shoes. It was necessary for mobility to be recreated in the policy of the government, and if Kjeld Olesen did arrange the disavouwal of Karl Hjortnæs which Uffe Ellemann-Jensen came to carry out, it is an unusual but beneficial expression of continuity in the Danish foreign policy.

Greenland Fishermen Express Worry

Copenhagen BERLINGSKE TIDENDE in Danish 16 Sep 82 Sect I p 1

[Article by Claus Kallerup]

[Text] They Fear an Invasion by Foreign Fishing Fleets

The Association of Greenland Deep-Sea Fishermen completely disagree with the evaluation by Emil Johansen, member of the local Greenland government, that allowing West German fishing of 5,000 tons of cod off Greenland's west coast will not lead to any invasion by foreign fishing fleets in pursuit of cod off West Greenland.

"With the agreement entered into, the Greenland waters have been thrown open to fishing which, in the opinion of the Association of Greenland Deep-Sea Fishermen, will start a landslide of wishes and demands from abroad on the Greenland fish resources,"it says in a statement from the Association of Greenland Deep-Sea Fishermen.

The statement goes on to say: "Greenland has achieved nothing really through the present agreement but, in the opinion of the Association of Greenland Deep-Sea Fishermen, has lost its possibilities, in the long run, to base the country's existence and economy on Greenland's present main industry, the fishing industry."

The association goes on to say: "In the present 'cod case,' West Germany has acted in a very provocative manner and has clearly demonstrated how rich industrial countries are, at any time, ready to oppress the weak nations, just for the sake of their own gains."

Comments from the Organization of Greenland Fishermen, Sealers and Whalers, the KNAPK, do not indicate either that they are confident that the agreement will not go beyond the quota of 5,000 tons, as agreed upon now.

Karl Olsen, chief of the secretariat of the KNAPK, tells BERLINGSKE TIDENDE:

"This arrangement will start a landslide; in support of their demand for fishing off West Greenland, the West Germans have cited historical rights. Now they have got their permission. What will then hold back other nations which have previously been fishing sporadically off West Greenland? We are convinced that the West Germans will not stop at the 5,000 tons once they have got started."

On the Greenland radio yesterday, Lars Emil Johansen, member of the local Greenland government, defended the agreement by stating that, due to climatic conditions, the Greenland fishing fleet has not been able to use up its own quota, and, therefore, there was no longer any basis for the argument to hold back the West Germans.

"An agreement based on the fact that the Greenland fishing has been poor is, in no way, something to be happy about. But we have limited the damage which would otherwise have happened," Lars Emil Johansen said, having in mind the West German demand for an increase in the total cod quota from 62,000 tons to 75,000 tons.

For the rest, the political comments on the agreement are subdued. However, the following derisive comment was made by the extremist Inuit Ataqatigiit [a radical youth group]: "The local government has been barking like a leading sledge dog but is now whimpering like a puppy."

FRG Reactions to Agreement

Copenhagen BERLINGSKE TIDENDE in Danish 16 Sep 82 Sect I p 1

[Text] From the reactions in Bonn it appeared last Wednesday that the compromise recently arranged with Denmark on the much disputed cod fishing off West Greenland is in West Germany regarded as a West German victory.

The Danes do not agree with this evaluation, as appeared from Klaus Justesen's report on the events in Bonn last Tuesday night.

7262
CSO: 5200/2122

ADVISOR VIEWS RESULTS, CONSEQUENCES OF LOS CONFERENCE

Hamburg AUSSENPOLITIK in German No 3 1982 pp 243-262

[Article by Uwe Jenisch: "Law of the Sea Convention--Consequences, A German Viewpoint"]

[Text] The new Convention on the Law of the Sea [LOS] was adopted on 30 April 1982 in New York. Following 9 years of discussions, the Third LOS Conference of the United Nations was concluded, the new treaty system will change economic and geographic relationships in the world in a manner which may only be compared to the age of colonialization. Dr Uwe Jenisch of the Ministry of conomics and Transportation of the Land of Schleswig-Holstein, who took part in the conference sessions as an advisor of the German LOS delegation, also participated in the final session in New York. He followed and analyzed all developmental stages of the LOS Conference in this periodical in a uniquely continuous and complete manner. Now he is taking a look at the problems of the implementation and the realization of the new convention. There is not doubt that the formal signing of the convention in December 1982 in Caracas will receive a qualified majority; subsequently the treaty will be known by the brief title of Caracas Convention. Nevertheless, 141 yes-votes in New York are opposed by 21 important states which are not willing to join the consensus but are expected to provide 60 percent of the UN budget. Among them are, from the "conference group of the five," the big Western industrial states--the United States, the United Kingdom and the FRG. As a matter of fact, because they are in the majority, the developing countries more or less succeeded in getting their way with respect to all items and procedures for the future regulation. For many countries the result are disadvantageous and will lead to serious consequences. The contents of the convention includes a division into zones and a nationalization of the ocean's resources by setting up coastal waters, economic zones and continental-shelf zones. Such a division leaves almost nothing for a country like the FRG. With the establishment of the UN Seabed Authority, deep-sea mining is functionally entering the new economic world order. It is a model decision in favor of new worldwide economic organization and administration structures. For the first time the United Nations will be given an instrument, in the form of the Seabed Authority, to control supranational tasks and to function as a commercial enterprise. Because of the existing majority, Western industrial states--the FRG was again included--were not able to get any liberal positions adopted. The only positive expectations relate to the preparatory investment protection for so-called pioneer investments for deep-sea mining which are made before the convention becomes effective. It concerns the recognition of exploration and mining areas in favor of those countries which are currently the first ones to enter the threshold of deep-sea mining, and among them is also the FRG.

1. Adoption of Convention on 30 April 1982

On Friday 30 April 1982, at the seat of the United Nations in New York, the Third UN Law of the Sea Conference was concluded with the adoption of a new LOS Convention under the energetic leadership of the conference president Koh (Singapore).[1] During 9 years of negotiations, requiring 11 sessions and a total of 93 weeks--the 11th session lasted from 8 March to 30 April 1982--approximately 160 states were arguing over a new law of the sea, which is now seeking universal recognition. It is called the Convention on the Law of the Sea, contains approximately 320 articles,[2] 9 appendices and 5 resolutions, combining in one convention a total package of all marine products and all areas of the seas--in other words, 70 percent of the earth's surface.

During the final session, 120 states voted in favor of the adoption of the convention, among them were almost all of the developing countries and 11 industrial countries (Denmark, Austria, Switzerland, Ireland, Sweden, France, Japan, the Netherlands, Australia, Canada and New Zealand). The United States, Israel, Venezuela and Turkey voted against it for various reasons. Seventeen Eastern and Western industrial countries abstained. They were: Belgium, Bulgaria, White Russia, the CSSR, the GDR, the FRG, Hungary, Italy, Luxembourg, Mongolia, the Netherlands, Poland, Spain, Thailand, the Ukraine, the Soviet Union and the United Kingdom. The voting pattern shows that the EC states did not vote uniformly. The overwhelming numerical majority of those in favor must not hide the fact that 21 important states, which represent 60 percent of the UN budget, were not willing to join the consensus. It is therefore unlikely that the result of the vote will sustain a permanent regulation.

It also reduces the chances for solidifying the convention content, either as a whole or in part, while it is in the process of being shaped into a common law.

According to the timetable of August 1981,[3] the adoption of the convention at the end of the 11th session had been preceded by 3 weeks of informal negotiations which dealt with U.S. requests for changes[4] in deep-sea mining. On 2 April 1982, the Collegium (the conference president and the committee chairmen) submitted a memorandum[5] which already contained the essential elements of the later proposal. It was followed, on 7 April 1982, by the consensus procedure,[6] during which the transition to the formal procedure was accomplished. As a consequence, formal proposals for changes could be submitted until 14 April 1982 to be voted upon later. Thirty-one proposals were made,[7] but they were no longer considered seriously. On 23 April 1982 the collegium submitted a second memorandum[8] with minor changes and on the same day the conference decided that all efforts had been exhausted to reach a general consensus. According to the rules of the procedure this procedural step was necessary to enter the phase of voting. Although the decision was again made in the consensus procedure--i.e., without a vote--Belgium, France, the FRG, Italy, Japan, the Unit-d Kingdom and the United States declared in vain that in their opinion not all possibilities of negotiation had been exhausted.[10] On 26 April 1982 there was to be a vote on the proposed changes, but the conference president succeeded in persuading all but three petitioners to forego a vote.[11] This waiver in conjunction with all the other proposals concerning the deep-sea regime also took care of the American-German proposals for deep-sea mining,[12] a proposal by Zaire concerning user rights for fishing in neighboring economic zones,[13] a proposal for registering and licensing procedures for warships passing through foreign coastal waters[14] and the proposal for establishing a Common Heritage Fund.[15] Two proposals were voted down, one submitted by Spain[16] concerning straits and one by Turkey[17] on the proviso clause.

On 29 April 1982 the conference president submitted his third memorandum,[18] which contains additional improvements for the authority's own mining company--called "Enterprise"--and he appealed to all participants to accept by consensus his proposals contained in his three memoranda as well as the convention draft. The United States, however, insisted on a vote by roll call,[19] which followed on 30 April 1982.

According to the internal procedural regulations of the LOS Conference (rule 39)[20] the ratification of the convention marks the end of the substantial negotiations. The mandate of the UN General Assembly of 16 November 1973 "...to adopt a convention..." (Resolution 3067 XXVIII) has been fulfilled. In agreement with rule 39, which specifies a qualified two-third majority for the adoption of the convention, 130 yes-votes met this requirement. The conference had been planning for a long time to consider the possibility of adoption by consensus, as an exception to rule 39--as is apparent from the footnotes to articles 309 and 310 in the convention draft--but on the basis of the above-mentioned petition by the United States it reverted to the ratification by vote.

The vote led to complex results. There is still no final text of the convention but only a package of different documents and diverse corrections. The convention text alone is the combination of five documents.[21] In addition there are five resolutions listed below which, without being a part of the convention, are still inseparably connected with it.[22]

--Resolution I on the establishment of a preparatory commission for the Seabed Authority and the LOS Court (Documents L 94 and L 132/Add 1);

--Resolution II on the preparatory investment protection for pioneer activities in seabed mining (Documents L 132/Add 1 and Cor 1 as well as L 141/Add 1);

--Resolution III on the rights and interests of territories that are not yet independent (Document L 94);

--Resolution IV on the rights of recognized national freedom movements (Document L 132/Add 1);

--Finally, there is a fifth resolution which was submitted by Peru in the name of the Group of 77 and which contains recommendations on the development of national sea exploration, technology and service programs for developing countries.[23]

Resolutions (decisions) are usually political resolutions by international organizations and conferences. As a rule there is no implementation clause, a ratification by national parliaments is dispensable, rights and duties for states do not apply until the signature indicates ratification, and thus they become a valud international law for the signatory states.

The four resolutions are in part analogous to sections in the convention, which refers on various occassions to the resolutions; for instance, in article 308, section 4 and 5 with respect to the validity of the decree for deep-sea mining, in article 1 until the part dealing with participation rights, in article 305 and appendix IX also concerning participation rights and in articles 156, section 3, and 319, section 3, with respect to the observer status for freedom movements.

2. Timetable for Realization of Convention

At the present time it is not possible to predict whether the front will remain of those countries who rejected the convention or abstained from voting. Whereas the Western industrial countries rejected the consensus for reasons of general dissatisfaction with the deep-sea regulations, the East bloc countries based their abstention on the alleged disadvantages for the Soviet sea-bed mining consortium as contained in the preliminary investment protection (cf. 4.2)--not a very convincing argument.

The near future will show whether a carrying majority of states will produce the political will for this law of the sea, which can only be realized in peace. As a result, all governments will have to face the question of examining their own interests in the seas, of taking stock and evaluating the situation, which in spite of 9 years of negotiations has to date not been done sufficiently--at least no in the FRG--especially when the long-term political and economic effect is taken into consideration of this conference of the century which will change the economic and geographic relationships of the world in a manner which at best is comparable to the age of colonialization.

For the time being--for procedural reasons--it is still a long way anyway until the convention can be implemented. The adoption of the text in New York only marks the end of the diplomatic negotiations on international law.

2.1 Editorial Committee

The large number of documents which still contain open questions and unclear passages now need to be summarized by the editorial committee and put in legible form in the languages for UN negotiations and documents. An example for the unreadiness of the texts, among other things, is the fact that the German delegation has not succeeded to date to establish the correct designation of the seat of the LOS Court, which according to available information is to be located in Hamburg; the reason is Soviet resistance.[24]

The work of the editorial committee requires an additional five weeks of negotiations from 13 July to 13 August 1982 in Geneva. On 22 September 1982 the Plenary Session of the LOS Conference will reconvene in New York for 3 days as a continuation of the 11th session to authorize the work of the editorial committee. Subsequently convention texts ready for signatures, including the final act, will be prepared in the UN languages. It is expected that this year's General Assembly of the United Nations will conclude the conference on the basis of a report by Conference President Koh and charge the secretary-general with the preparations for the signing of the final act and the convention.

2.2 Signing of the Final Act in Caracas

Between 6 and 10 December 1982, the ceremonial signing of the final act is to take place in Caracas, the capital of Venezuela which voted against the convention. The final act, the contents of which has not yet been negotiated, is--apart from the contents and text of the convention--the ceremonial final conclusion to the diplomatic negotiations on international law, in other words, it is the formal ratification of the convention by signing the final act. The contents of the final act will essentially consist of a procedural inventory of the conference history, in other words, a listing of the sessions, dates, participating states and a presentation of conference organizations. It does not provide any legally binding effects.

2.3 Signing of Convention

As soon as the final act has been signed, the states also have the option of signing the convention which, in accordance with article 305, will be available for signing for a period of 24 months in the Venezualan Ministry of Foreign Affairs or at the UN headquarters. Following this 24-month period, the right to join later remains unrestricted according to article 307. The signing makes the text official. From that moment on the binding effect is restricted to the rule that signatory states are not permitted to undertake anything that might endanger or even make impossible the later implementation of the treaty. During the signing of the final act and the convention there are also opportunities to submit formal interpretation statements, which are now being prepared in all capitals. As a matter of principle and in accordance with article 309, legally stronger proviso clauses are not permitted. Agreements are regularly quoted according to the date of signing. It is the reason why this convention is later to be called Caracas Convention.

2.4 Ratification and Implementation

According to article 306, the convention requires the ratification by national parliaments or appropriate organs. The significance of the ratification is the formal declaration of the state toward the other treaty partners that it is legally bound by the agreement. In other words, the ratification is the final conclusion to the negotiations of the treaty.

The preparatory commission will begin its work of preparing for the implementation as early as 60 to 90 days after the 50th state has signed the convention (cf. 4.1 below). It could be the case as early as the end of 1983.

According to article 309, the convention will go into effect 1 year following the 60th ratificationor declaration of consent and it will become international law between the treaty partners. From that moment on the organs of the convention, in other words, the Seabed Authority and the LOS Court must be in operation. It is predicted that the point in time will be somewhere between 2 and 5 years from now. States that do not ratify the agreement are not bound by it, unless over a long period of time the treaty content or parts of it attain universal common-law acceptance.

3. Contents of New LOS Convention

The comprehensive and detailed changes which will be the result of the new Law of the Sea have been discussed here regularly and extensively. The following section will therefore be limited to a quick evaluation of the entire convention with special emphasis on the final negotiation results.

The main characteristic of the Law of the Sea is the large variety of geographical and functional changes. In contrast to the old LOS convention of 1958, which always regulated only separate aspects of the Law of the Sea, the new convention includes every use of the sea for all areas of the sea; it is contained in one treaty, designed to be effective worldwide. The existing, old Law of the Sea will be integrated into the newly created agreement. The concept of the 200-nautical-mile economic zone or the deep-sea regime are now creations of this kind, whereas the coastal expansion to 12 nautical miles can already be justified today by referring to its as common law.

Law of Sea Zones

With respect to geographic-territorial aspects the division of the oceans into zones is in the foreground: 12-nautical-mile-wide coastal waters are within the national territory of coastal countries; 200-nautical-mile-wide exclusive economic zones and the continental-shelf zones that reach beyond it--in some instances they can be extended to the edge of the deep sea--lead to the nationalization of the economically most valuable and most easily attainable resources (fish, petroleum, natural gas, minerals), including massive privileges in ocean exploration and environmental protection; with respect to economic zones a small change was made during the 11th session when a British proposal was adopted, which called for weakening the requirement of removing unused installations (article 60, section 3).[25] Traffic rithts for civilian and military navigation, however, remain free. In the view of traditional seagoing nations from East and West, military exercises, maneuvers and similar activities in foreign economic zones also remain permissible.

Clear LOS dividing lines exist only for seaward borders of coastal waters and economic zones but not for continental-shelf zones, which according to article 76 can extend to 350 nautical miles for shelves that are more than 200 nautical miles wide or (alternately) if the lines extend 100 nautical miles seaward, it can cover a depth of 2,500 meters and in case of submarine mountains it can go further seaward. The details are to be settled by a continental-shelf border commission. The border between overlapping neighbors or opposite sea zones "are to be established," according to articles 74 and 83, "through agreements based on international law,... to find a just solution."

It is difficult to imagine how this practice is to lead to satisfactory results, considering the latitude of measures and disputes about sea areas and resources, unless the negotiating partners are of good will and ready to agree on a compromise solution.

A complicated law dealing with straits subdivides the more than 100 straits in the world into five different categories and according to article 38 the right of passage for all kinds of ships, planes and cargo—which includes also military vehicles--is only granted freely in the case of so-called transit straits. With respect to the Malacca Strait, which is navigationally particularly difficult, the neighbors and the most important shipping countries (except for the Soviet Union) agreed to stay at least 3.5 meters from the shore.[26] The formal proposal by 30 states, led by Romania,[27] to require registration and permission for the passage of warships through foreign coastal waters for security reasons developed into a key question during the 11th session, and the conference could have failed because of it. The United States and the Soviet Union and their respective alliance partners made it very clear that in case of such a clause they would not join the convention under any circumstances; the remaining maritime nations emphasized the fact that the generous expansion of the coastal waters would have to be "reimbursed" at any rate by granting free passage. The 30 states withdrew their proposal before the final vote.

In spite of the fact that traffic rights are being maintained, the division of the oceans can no longer be stopped. According to the economic zone regulation, 10 states of the world receive 54 percent of all economic zones,[28] a group of approximately 90 states, depending on geographic conditions, receives only small sea areas of varying sizes, but 55 geographically disadvantaged and inland states, among them are both German states, receive practically nothing.

Functionally it is therefore noticeable that states with long coastlines that have their own sea areas and own resources are favored in an unbearable fashion at the expense of the community of states, whereas, on the other hand, a large group of "landlocked countries" will be cut off permanently from the blessigs of the oceans. New conflicts about sea areas and resources among the haves and between the haves and the have-nots have practically been preprogramed by the new Law of the Sea. The Falkland War as well as the Agean conflict are the first current examples. Additional conflicts are feasible; for instance, in the Caribbean, in the East Asian peripheral seas as well as the European peripheral seas.

3.2 Deep-Sea Regime

The mineral resources of the deep seas outside the limits of national jurisdictions, particularly cobalt, nickel, iron, manganese nodules containing manganese, will be under the jurisdiction of the UN Seabed Authority in Jamaica, while the use of the water areas in this international zone remains free.

Functionally the new Law of the Sea means the beginning of the new economic world order, which for the first time might be realized sectoral in the area of deep-sea mining and be binding through international law. During the final negotiations in New York in Spring 1982, the United States and several industrial countries did not succeed in realizing their goal, which was to liberalize substantially the economic plan and bureaucratic set-up of the deep-sea regime; it is marked by price and quantity regulations and rights, the monetary and technological transfer and the voting rights dominance of the developing countries. Only a few items of the package of requests for changes, which was submitted jointly by the United States, the FRG, Italy, Belgium, the United Kingdom, France, and Japan,[29] were adopted. As a consequence, according to article 161, section 1a, the United States is now getting a guaranteed seat (as the biggest consumer state) in the 36-member Council of the Seabed Authority. According to article 155, section 3, the revision conference now needs a three-fourth instead of a two-third majority to make a binding decision. As a result, later fundamental changes about the deep-sea regime can become binding for the FRG even without its approval. Nevertheless, the text has been improved insofar as so-called "pioneer investors" in seabed mining are given guaranteed rights even before the implementation of the convention (cf. below, 4.2). In article 151, section 4 and in article 162, section 2n, the moratorium for the mining of raw materials other than manganese nodules has been limited to a period of 3 years, with the consequence that exploitation remains "free" unless implementing regulations are issued within 3 years.

Terrestrial raw material producers who could suffer from deep-sea mining[31] are getting more rights for codetermination in article 164, section 1 and financial compensation options in article 171f. Essentially unchanged are the regulations for technology transfer, financial contributions and application and licensing procedures.

How soon the technologically demanding seabed mining will be worthwhile financially, will depend on price levels and the availability of terrestrial depositories. The earliest possible date will be no sooner than the early or middle 1990's before any kind of deep-sea mining worth mentioning is expected. Consequently, the deep-sea discussion which burdened and dominated the conference in an almost unbearable manner is for the time being nothing more than a model decision in favor of new global economic organization and administration structures, including considerable financial burdens that are placed on the states in the form of contributions, and initial estimates for the FRG are frighteningly high. The deep-sea regime is a historic decision insofar as the United Nations for the first time has an instrument in its hands which, in the form of the Seabed Authority, is given supranational control tasks and, as an enterprise, has commercial functions--a totally new phenomon in the international system.

Proof of the correctness of this solution is left to the obscurity of the future. Already now the justified desire among developing countries for a bigger share of te- use of the seas appears to have failed because of the territorialization of coastal water zones in favor of a few states with long coastlines and because of the bureaucratization of deep-sea utilization through international law. The search for alternate organizational forms of deep-sea mining will have to continue, at least in the circles of the industrial states, including the Soviet Union.

3.3 Transit Rights/Environmental Protection/Settling of Disputes

Among the positive results of the conference are the establishment of transit rights for landlocked states and regulations concerning the pollution of oceans--which are certainly considered sensible by Germany--as well as legal settlements of disputes with the help of obligatory, appropriate legal and arbitration procedures.

In part X of the convention, landlocked states without access to the sea have for the first time an internationally established claim to transit rights for all transportation routes, the modalities of which are to be negotiated separately for each case with the transit state.

Environmental protection of oceans, which today is already regulated through a number of sectoral and regional conventions and which is in better shape than terrestrial environmental protection, is affected by 45 articles in part XII, receiving a progresive framework legislation, which is geared to uniform worldwide standards of purity and contains step-by-step rules for intervention and control. Especially pollution resultant from shipping is regulated in detail. Control and implementation regulations of coastal states against environmental violators of the shipping industry are increased and expanded over a wider area in a moderate and appropriate manner.

Unfortunately it was not possible to come up with a similarly structured and well-balanced regulation on scientific exploration of oceans, which must precede any sensible utilization of the sea and which would have been in the interest of all mankind. According to part XIII, exploration rights for economic and continental-shelf zones are almost exclusively the prerogative of the coastal states.

In part XV the regulation on international legal settlements of disputes which--as is well0known--has to date been highly incomplete and nonbinding, has for the first time been given an institution, the International LOS Court in Hamburg, which under certain circumstances has obligatory jurisdiction over decisions on important disputes over rights on the seas, for instance, in the area of traffic rights and deep-sea rights. Economically interesting areas, for instance, border disputes over dividing lines on the seas, fishing and exploration rights and disputes involving military craft are unfortunately outside the obligatory legal dispute regulation. It was possible, however, to close this gap partially through obligatory or at least voluntary arbitration and mediation procedures. More could not be accomplished, considering the current degree of integration of the community of nations.

3.4 Joining Rights (Participation)

Following many years of discussions, the conference also reached a consensus on joining and participation rights for states, for independently administered associate states, for dependent territories, for Namibia, for recognized national freedom movements and for international organizations.[32] The East-bloc states and the "group of 77" maintained until the very end the connection between joining rights for international organizations, as for instance the EC, and joining rights for freedom movements.

Joining Rights According to Article 305

In the final version of article 305, the LOS convention will be open for signing to several categories of states and to international organizations. Every state has the right to sign and also--listed separately as a special case--Namibia, represented by the United Nations Council for Namibia,[33] which has already participated in the LOS Conference since 1980 with full voting rights. The acceptance of the special case of Namibia also applies to Namibia's membership rihts in the Preparatory Commission[34] and is in correspondence with the new article 1 bis, which declares the convention applicable for mutatis mutandis for all nonstate signatories of the convention; in this manner a complete equalization with those states which are eligible to join is expressly avoided.

Furthermore, the right to join is also granted to independently administered associate states and territories which, although they lack complete independence, have jurisdiction over areas subject to the Law of the Sea.

Finally international organizations are listed. Their right to sign the convention is in accordance with the eight articles in appendix IX[35] which, as is the case with all appendices, is an integral component of the convention. This "EC clause" defines international interstate organizations to which member states assigned internal and external LOS functions, including the right to conclude international agreements. The organization can sign with its own name if a majority of the member states have given their signatures. At the time of signing it must indicate the competency to which it is legally empowered; it presupposes delicate internal negotiations within the EC, which will have to establish whether it will be delegated to carry out any of these functions and specifically which LOS competencies it will be entitled to assume in the territorial zones of its member states. As long as the organization adopts the right and duties of the convention, it is not obligated to discriminate in its internal regime (for instance, in the so-called EC sea) between citizens of its member states, even if not all of the member states should have ratified the convention.[36] The membership of the organization is neutral with respect to the voting right for departments of the LOS convention and it is not included in the 60 ratifications required for putting the convention into effect.

Dependent Territories

For the remaining colonial territories, the convention text wanted to reserve rights to resources in a transitional provision exclusively favoring the population of these territories. This idea of protecting the interests of the population is now the subject of Resolution III[37]--and thus it has been excluded from the convention. The resolution states that in the case of sovereignty conflicts over these territories, consultations with UN cooperation are urgently stipulated to protect the maritime interests of the inhabitants.

Recognized Freedom Movements

The goal of the developing countries of granting to freedom movements full rights to join the LOS convention failed due to the resistance from the industrial countries. The resulting compromise in Resolution IV[38] provides the right to sign "as an observer" only for the final act, not the actual convention and it only applies to freedom movements which participated in the conference. They are SWAPO, the ANC, the PLO and the Pan Africanist Congress (PAC). In addition, the freedom movements receive observer status in the Preparatory Commission[39] and the Assembly of the Seabed Authority[40] and in other convention departments; furthermore, according to article 319, section 31, as observers they receive all reports and documents. Until the end Israel opposed these efforts[41] to use the LOS Conference as a vehicle for upgrading the freedom movements and for this reason it voted against the convention.

4. Instruments for Transitional Period

4.1 Preparatory Commission/Prepcom Resolution I

The transitional period--which will last several years--until the LOS convention goes into effect following the deposition of the 60th ratification document on one hand and the agreement on the preparatory investment protection for starting seabed operations on the other hand, necessitates the establishment of a Preparatory Commission. Its tasks will be the preparation of personnel, functional and organizational aspects of the Seabed Authority and the LOS Court as well as processing the first applications by pioneer investors. The most important task in this connection is the preparation of international rules and regulations for the application and licensing system of seabed mining (so-called security law).

The departure point for the convultations on a preparatory commission was a resolution draft by the conference president from the 10th session[42] (for lack of time it could not be discussed at that time). During the 11th session the "working group of 21,"[43] the nuclear group of the First Committee under the chairmanship of Engo (Cameroon) as well as the plenary group of the conference discussed the proposal in detail. In his first memorandum of 2 April 1982,[45] the president repeated a slightly changed version of his proposal from the 10th session, at which time he was supported by the "group of 77" and the East bloc. The five Western industrial countries submitted on 13 April 1982 proposals for changing the entire deep-sea system, which also contained, among other things, changes for the resolution draft of the Preparatory Commission,[46] but on 26 April 1982 it was withdrawn. With minor additions and linguistic revisions by the editorial committee[47] the decision on the establishment of the Preparatory Commission was adopted as Resolution I by the known majority.

Contents of Resolution for the Establishment of the Preparatory Commission

The Preparatory Commission for the Seabed Authority and the LOS Court will convene for the first time between 60 and 90 days following the 50th ratification of the convention (item 1[48]). The commission consists of representatives of the states that signed the convention (item 2). The signing of the final act, which the industrial countries would have preferred for membership,[49] only entitles to observer status in the Preparatory Commission. Therefore whoever wants to take part in the commission, has to decide in favor of singing the convention. The commission chooses its chairman (item 3); it has its own legal body (item 6) and can appoint subcommittees (item 7 and 8), among them special committees for the preparation of "Enterprise" and for dealing with the problem of those developing countries which as land producers might be affected unfavorably through deep-sea mining when it comes to their ability to compete (item 9). Normally the commission meets at the seat of the Seabed Authority--which is Jamaica (item 12)--and the UN Secretariat makes available the services of the secretariat (item 15).

The tasks of the commission are specified in detail (item 5):

a. Preparation of the first session of the Assembly and the Council of the Seabed Authority;

b. preparation of the procedural regulations for Assembly and Council;

c. proposal for the first budget;

d. proposal for the relationship to other international organizations;

e. recommendations for the secretariat of the authority;

f. studies on the preparation of the headquarters of the authority;

g. preparation of the legal regulations (secondary rules) for the authority;

h. implementation of the system for preliminary investment protection (pip system);

i. studies on developing countries that are particularly affected economically, including the establishment of a compensation fund.[50]

The disputed question as to what constitutes a majority whenever the Preparatory Commission is to make decisions, has been solved temporarily by referring (item 4) to the procedural regulations of the LOS Conference, but it is hardly practicable; one need only remember the cumbersome wrestlling of the LOS Conference. Wiht this in mind, the Soviet Union[51] demanded--particularly with respect to the important secondary rules--that the commission must decide by consensus; but later it withdrew this proposal. The Western industrial countries demanded[52] that the voting system of the Council of the Seabed Authority (varying majority depending on the subject to be voted on, in accordance with article 161, 162) be transferred to the Preparatory Commission to bring to bear the weight and experience of mining countries on the formulation of the legal regulations. This proposal took care of itself when it was withdrawn during the plenary session on 26 April 1982. Thus, as far as the decisionmaking process of the Preparatory Commission is concerned, in the end the majority of its members--in correspondence with the LOS Conference--decides, and these decisions can only be cahnged later by consensus in the Council of the Seabed Authority--in other words, all 36 council members have the veto right.

The financing of the Preparatory Commission is supplied by the regular UN budget--in other words, not by the signatory states of the convention (item 14). In the fall of 1982 difficult fiscal deliberations are expected in the UN, because approximately 60 percent of the UN budget is represented by states that did not ratify the convention.

With respect to the preparation of the LOS Court, the Preparatory Commission must put together a report with recommendations (item 10). The tasks of the Preparatory Commission end with the end of the first session of the Seabed Authority; its tasks will then be transferred to the Seabed Authority.

Thus, the construction and mandate of the Preparatory Commission fully reflect the wishes of the developing countries. The industrial countries did not succeed in having their wish granted, according to which mining countries would be assured an appropriate level of influence. Membership and voting rights are arranged in such a manner that the industrial countries are forced to sign and ratify the convention, while the developing countries on the basis of their numerical superiority can dominate the Preparatory Commission; the East bloc--like all the other states--has a veto right on important decisions.

4.2 Preparatory Investment Protection (Pip/Tpi System)

The preparatory investment protection for so-called pioneer investments in deep-sea mining, which are made before the convention goes into effect, was among the open questions of the 11th session. The issue is the preliminary international recognition of large-area exploration and mining territories in favor of the states or firms and consortia which are currently the first ones entering the threshold of realizing manganese-nodule mining. Until the convention goest into effect, the preparatory investment protection requires a kind of "protection procedure" to guarantee exploration and exploitation rights in "one's own" fields. The implementation of this procedure is to be in the hands of the Preparatory Commission,[53] the rights and duties of which are the object of discussion for a separate resolution. This topic was developed during the 11th session and became known under the English abbreviation of "pip" (preparatory investment protection) or--less common--"tpi" (treatment of preparatory investment[54]) and was one of the focal points of the conference, because a pip solution acceptable to all sides would, on one hand, permit an uninterrupted continuation of deep-sea work by interested states and consortia--thus incorporating national interim legislations in an international regulation--and, on the other hand, permit a workable registration procedure preceding the implementation of the extraordinarily complicated part of the convention dealing with deep-sea mining. Furthermore, a contributing factor may also have been the hope of many conference participants--including some of the developing countries--that a pip system which would satisfy the industrial countries would result in a more flexible attitude on the part of the United States.

The pip system, the justification of which was expressly emphasized by Engo, chairman of the First Committee,[55] must, among other things, solve problems that are in part based on the north-south relationship:

--The relationship of the convention to the national interim laws and to the planned reciprocal agreements of the deep-sea mining states;

--modalities of transfer from the pip system to the convention;

--validity of convention principles on production limits, technology transfer and financial burdens for the pip phase;

--definition of pioneer investors, taking into consideration the interests of developing countries and of "Enterprise."

On the Procedure of the Pip Negotiations

All departments and state groups of the 11th LOS session were occupied with the preparatory investment protection. The information given below provides an overview on the progress of the negotiations. A presentation of the contents of the different proposals and positions will have to be reserved for later treatment because of the great number and the size of the documents and because of the confidentiality of some of the negotiations. A decisive factor is the result of the resolution text outlined below, which was adopted by the conference on 30 April 1982.

The industrial countries of the "conference group of five" (the United States, the United Kingdom, France, Japan, the FRG) agreed at the beginning of the 11th session to prepare a joint pip proposal, which began on the basis of a list of topics submitted by Germany. Following difficult negotiations among the five mining states, initially four industrial countries (without France) submitted a proposal[56] which was introduced in the First Committee and in the "work group of 21"; Belgium, Italy and the Netherlands added their support. Additional resolution drafts came from the "group of 77"[57] and from a group of smaller Western industrial countries, the "group of 19."[58] France developed additional concepts with respect to how national pioneer investors could support the authority-owned "Enterprise" by assisting with the personnel during its formation.[59] From the discussion on these papers the conference president developed his own ideas in his memorandum of 2 April 1982.[60] The presidential paper was subsequently the subject of internal negotiations by the Western industrial nations among themselves and with the Soviet Union, after it had become clear that the Soviet Union also considered itself a member of the circle of pioneer investors. On 13 April 1982 (the final day for submitting formal proposals for changes) the "conference group of five," with the support of Italy and Belgium, presented its ideas on the deep-sea regime and especially also on the pip system;[61] they were later discussed by a small negotiation group under the chairmanship of President Koh. Joint EC presentations on these questions were not possible.

At the same time the Soviet Union unexpectedly passed its own national interim law [62] on deep-sea mining; thus, it followed the example of the United States, the FRG, France and the United Kingdon. India was the first member of the developing countries which succeeded in gaining recognition as a pioneer investor during the negotiations on 16 April 1982 by pointing to its past exploration accomplishments. In addition to the international deep-sea mining consortia headquartered in the United States:

--Kennecott Consortium (United States, United Kingdom, Canada, Japan);

--Ocean Management Associates, OMA (United States, Belgium, Italy);

--Ocean Management Incorporated, OMI (United States, Canada, FRG, Japan);

--Ocean Minerals Company, OMCO (United States, Netherlands);

--Association Francaise pour l'Etude et la Recherche des Nodules, AFERNOD (France);

--Deep Ocean Minerals Association, DOMA (Japan);

--Soviet Consortium;

--Indian Consortium.

All these eight consortia[63] are interested in a preliminary investment protection and in the reservation of their own exploration fields. Their fields are in the Clarion-Clipperton belt between Hawai and Mexico. The only exception is the Indian field, which is located in the Indian Ocean. Furthermore, a circle of possible additional applicants includes the People's Republic of China[64] and Brazil.

The eight pinoeer investors mentioned above are listed by the name of their home states in the proposal[65] that was presented and accepted by the president at the end of the 11th session and which also contains two guaranteed mining fields for "Enterprise," only one of them, however, is to be financed by the industrial countries.[66]

Contents of Pip Regulation

States which belong to the circle of pioneer investors and signed the convention have the right (item 2[67]) to be registered with the Preparatory Commission as pioneer investors for manganese-nodule mining (but not for other seabed reserves), if certain objective criteria are met(item 2).

The definition of the exclusive group of pioneer investors named (item 1a) the four states--France, Japan, India and the Soviet Union--with state organized seabed mining. In addition there is the category of seabed mining organized by the private economy, the four consortia, the members of which are located in the eight states of Belgium, Canada, the FRG, Italy, Japan, the Netherlands, the United Kingdom and the United States. Both categories must have invested at least $30 million before 1 January 1983, which has to be verified by the applicant as a "certifying state." In the case of the international consortia it is sufficient if one of the signatory states makes the application (item 2). Furthermore, any developing country can be considered a pioneer investor belatedly, as long as $30 million have been invested by 1 January 1985. For international co-sortia a specific rule is in effect (item 4), according to which the individual partners have no claim for registration, but they have only one claim to a joint registration. (Consequently there will not be a "German field.") A change in nationality of the consortia and their partners, however, is permissible (item 10).

This complicated formula was necessary to win the seabed-mining ambitions of all interested parties for one uniform pip system. Nevertheless, it is expected that there will be considerable criticism, because it discriminates against states in many different ways: Among the absurdities is the fact that the Soviet Union and India, who have only been involved in minimal deep-sea activities, have the good luck of being treated as equals with other investors. Japan is even getting its own field in addition to its cooperation in an international consortium. Seven states, without Japan, who are partners of the four U.S. consortia have to share four mining fields. Smaller industrial countries, for instance, the GDR or Sweden, are excluded from the very beginning from the role of pioneer investors. Because of relzxed conditions for developing countries--who can invest until 1985--they can join the circle of pioneer investors later, in case the quantity restrictions on deep-sea systems permit it.

The proposed pioneer area, for which confidential exploration data--that are to be treated as such--have to be submitted to the Preparatory Commission, must not exceed 150,000 square kilometers. After a few years, the applicant is obligated to return step-by-step 50 percent of the explored areas, so that it can later be used by the authority (item 1e). The proposed area must be large enough for two mining fields (estimated size between 30,000 and 35,000 square kilometers) of equal value; the commission will reserve one of them for the Seabed Authority, according to the so-called banking system, and the other one will automatically be awarded to the applicant (item 3b) within a period of 45 days. Every applicant can only claim one pioneer area (item 4).

In case of territorially overlapping fields of competing applicants, a binding UNCITRAL arbitration procedure will intervene (item 5). For this purpose the coordinates of the proposed fields must be registered before 1 January 1983 with the certifying state. Among themselves, all pioneer investors enjoy the same rank. Details of the dividing procedure are reserved for the reciprocal agreement among the pioneer states which must be concluded during the next few months.

According to the so-called split contract system, which is a replica of the convention, the allocation of a pioneer area (item 3b) entitles first of all only to "pioneer activities" (item 6), which means targeted exploration activities including test mining, but it does not mean commercial mining. For production at a later date, a production permit (item 9a) is required which will be issued by the Seabed Authority through the normal application procedure in accordance with the convention (item 8a); applications can be made no sooner than 6 months following the implementation of the convention, when all home states of the consortia must have ratified the convention (item 8c). This ratification requirement is intentional.

In opposition to the wishes of the industrial countries, a production licensing procedure will be established within the framework of production quantity limitations of article 151, which is coupled to the rate of increase of nickel consumption.[68] If the remaining objective prerequisites have been fulfilled, the permit will be granted automatically within 30 days (items 9a and b). If there is an indication that the production quantity limit will be exceeded by several applicants and the applicants cannot agree among themselves how to divide the area, the Seabed Authority will make the final decision in accordance with appendix III (item 9g). It is important that at the time of production permits pioneer investors have priority over all other applicants. An exception, however, is made for "Enterprise," which receives two mining fields at the outset, but its general preferential treatment--when compared to other applicants--does not set in until all pioneer investors have received their production permits (item 9a). The second "Enterprise" mining field was not included in the text until the final moments of the negotiations.

The registration fee is $500,000 and is divided into two equal amounts, half for the registration and the other half ofr the later production permit (item 7a). In addition there is a fixed annual levey of $1 million (item 7b).

In the interest of a speedy expansion of "Enterprise," pioneer investors are obligated to explore the area reserved for "Enterprise" against later reimbursement of their expenses (including interest) and they must provide training assistance and technology transfer in accordance with the regulations of the convention (item 12a). The requirement of granting financial assistance to "Enterprise" is not directed at the investors but their certifying states (item 12b). It means that the Preparatory Commission is assuming a kind of a trustee role for the "Enterprise," as long as it has not yet been established. The authority on its part is obligated to respect the rights and duties which are granted by the pip system (item 13) until the pip system is replaced by the implementation of the convention (item 14; so-called security of tenure). Section 5 of article 308,[69] which was inserted later, provides permanence to the decisions of the Preparatory Commission.

As a result, it can be ascertained that the pip system contains an exploration and a mining field guarantee for pioneer investors for one field each, if the applying states sign and ratify the convention. The text demands that the production quantity limits be observed and establishes the Preparatory Commission as the licensing authority. Furthermore the text promotes the expansion of "Enterprise" due to the reservation of fields, technology transfer and training assistance and thus realizes the parallel system already during the pip phase.

In other words, it is the preliminary application of the convention; the only difference is that pioneer investors, in contrast to later applicants, have a guaranteed option with respect to the beginning of production, in case the state ratifies the convention.

Therefore the criticism voiced by the developing countries misses the mark by calling the pip system an "interim convention" and saying that it makes the convention itself superfluous by sanctioning national legislations and the planned reciprocal agreement, the object of which is to be the guarantee of national fields. The role of the certifying states--in other words, the national element in the convention--has been reduced to information and guarantee duties toward the Programming Commission.

The economic significance is the fact that the first generation of deep-sea enterprises could work under the full utilization of the production quantity for the rest of this century. The effect of the production quantity limit, which was placed in the convention text jointly by the developing countries and terrestrial mining producers like Canada and Australia will have the effect of an exclusion of other parties interested in mining in addition to the recognized pioneer investors, because according to all the information available, article 151 will only allow six to eight mining units. Therefore, for the time being, the exploitable fields of the "common heritage of mankind" have been distributed. The trend toward dividing the oceans has reached the deep sea.

Summary

In summation, the state of the new LOS order represents a challenge for every state to develop its own active ocean policy which is oriented toward the possibilities and dnagers of the new Law of the Sea and makes the best of a bungled situation. National rights of accessibility to ocean resources and free traffic and user rights are just as important as the interest in guaranteeing peace on the seas. It is expected that the conclusion of the LOS negotiations in New York will not end international LOS discussions, but it will be a departure point for a variety of international, regional and bilateral negotiations. The first example of these continuing negotiations should be the planned reciprocal agreement of industrial countries interested in deep-sea mining--so-called like-minded states. Another example for the regionalization of the oceans could be provided by the EC ocean which--in case Spain and Portugal should join the EC--would make a large, interconnected ocean area in the northeast Atlantic available to the general application procedure of European agreements, which are marked by freedom of movement, freedom of settlement and a ban on discrimination and which offer equal opportunities for member states of the EC also with respect to the utilization of the sea.

FOOTNOTES

1. Protocol of the final sessions from the document series A/Con 62/SR 176 to 182 (as far as they are available to date); cf. "United Nations Press Releast" SEA/494, 30 April 1982 (Round-up Session).

2. All article references are based on the convention draft A/Conf 62/L 78 28 August 1981, unless indicated otherwise.

3. A/Conf 62/114, 24 August 1981

4. Statement by President Reagan on 29 January 1982; U.S. position paper, 24 February 1982 ("Approaches to Major Problems in Part XI of the Draft Convention on the Law of the Sea")and U.S. Book of Amendments, March 1982 ("The U.S. Proposals for Amendment to the Draft Convention of the Law of the Sea"); A/Conf 62/L 121, 13 April 1982 (United States and six Western industrial countries).

5. A/Conf 62/L 93 and Corr 1, 2 April 1982.

6. A/Conf 62/Sr 167, 14 April 1982.

7. A/Conf 62/L 96 till L 126, 13 April 1982.

8. A/Conf 62/L 132 and Corr 1 in addition to L 132 Add 1 and Corr 1, 23 April 1982.

9. Rules of Procedure A/Conf 62/30/Rev 3, New York, 1981, Rule 37.

10. A/Conf 62/Sr 174, 28 April 1982.

11. A/Conf 62/Sr 175, 28 April 1982.

12. Cf. footnote 3.

13. Zaire, A/Conf 62/L 197, 13 April 1982, cf. also Romania A/Conf 62/WS 24, 24 May 1982.

14. 30 states, A/Conf 62/L 117, 13 April 1982.

15. Lesotho, A/Conf 62/L 115, 13 April 1982.

16. Spain, A/Conf 62/L 109, 13 April 1982; cf. also A/Conf 62/Sr 176, 6 May 1982.

17. Turkey, A/Conf 62/L 120, 13 April 1982; cf. also A/Conf 62/Sr 176, 6 May 1982.

18. A/Conf 62/L 141 and Add 1, 29 April 1982.

19. Cf. A/Conf 62/Sr 181, 5 May 1982.

20. Cf. footnote 9.

21. Draft Convention, A/Conf 62/1 78, 28 August 1981 and Corr 1-8, A/Conf 62/1 93, 2 April 1982 and Corr 1, 5 April 1982. A/Conf 62/L 132 Add 1, 22 April 1982. A/Conf 62/L 137, 26 April 1982. A/Conf 62/L 141 Add 1, 28 April 1981.

22. A/Conf 62/L 93, item 6, 2 April 1982 and A/Conf 62/SR 181, p 2, 5 May 1982.

23. A/Conf 62/L 127, 13 April 1982, and A/Conf 62/120, 7 May 1982; does not contain financial obligations, but needs ratification by UN General Assembly.

24. Cf. A/Conf 62/SR 180, 5 May 1982.

25. United Kingdom, C 2/Informal Meeting//66, 16 March 1982 and A/Conf 62/L 93; cf. French counterproposal A/Conf 62/L 106, which was withdrawn.

26. Malacca Straits, A/Conf 62/L 145 and Add 108, 29 April 1982.

27. Romania and 29 additional states, A/Conf 62/L 117, 15 April 1982; cf also A/Conf 62/SR, 6 May 1982.

28. Cf. UN Doc E/Conf 71/3, New York, 1981.

29. A/Conf 62/L 121 and 122, 13 April 1982.

30. Cf. details: A/Conf 62/L 93. A/Conf 62/L 132 Add 1. A/Conf 62/L 141 Add 1. A/Conf 62/L 142 Add 1.

31. Cf. Preliminary report of the Secretary-General A/Conf 62/L 84, 2 March 1982 and Add 1, 16 March 1982.

32. Summarizing presentation in president's report: A/Conf 62/L 86, 26 March 1982.

33. A/Conf 62/L 137, 26 April 1982; cf. British objection in A/Conf 62/SR 176, 6 May 1982.

34. Resolution 1, item 2.

35. Appendix IX, A/Conf 62/1 93, 2 April 1982.

36. Cf. A/Conf 62/L 93 Appendix IX, art 4, sec 6, which contained a discrimination ordinance which was later taken out, however, when Belgium objected (A/Conf 62/L 119), cf. A/Conf 62/L 132 Add 1.

37. A/Conf 62/L 94, 2 April 1982.

38. A/Conf 62/L 132 Add 1; cf. Precursor: A/Conf 62/L 94, 2 April 1982.

39. Cf. Resolution I, item 2.

40. Cf. art 156, sec 3.

41. A/Conf 62/SR 177, 6 May 1982.

42. WG 21/Informal Meeting 17, 26 August 1981.

43. A/Conf 62/C 1/L 30, 29 March 1982.

44. A/Conf 62/SR 158-166.

45. A/Conf 62/L 94, 2 April 1982.

46. A/Conf 62/L 121, 13 April 1982.

47. A/Conf 62/L 132 Add 1, 22 April 1982 and L 142 Add 1, 29 April 1982.

48. Item numbers refer to the resolution text in documents A/Conf 62/L 94 and L 142 Add 1.

49. A/Conf 62/L 121, 13 April 1982, p 17.

50. Cf. WG 21/Informal Paper 23, 26 March 1982.

51. Soviet Union A/Conf 62/L 125, 13 April 1982.

52. A/Conf 62/L 121, 13 April 1982.

53. Resolution I, A/Conf 62/L 94 supplemented through L 132 Add 1, 22 April 1982.

54. TPIC/1, 8 March 1982, with reference to the background of the pip proposals; cf. also Jenisch: "Bridging the Gap for Seabed Mining" in "San Diego Law Review No 18, 1981, pp 409-413.

55. A/Conf 62/C 1/L 30, 29 March 1982.

56. TPIC/2, 15 March 1982.

57. TPIC/3, 19 March 1982 supported by Soviet Union; cf. also A/Conf 62/L 116, 13 April 1982.

58. TPIC/5, 25 March 1982.

59. TPIC/4, 22 March 1982.

60. A/Conf 62/L 94, 2 April 1982; cf. also A/Conf 62/C 1/L 30, 29 March 1982.

61. A/Conf 62/L 122, 13 April 1982.

62. Soviet note, 18 April 1982, unpublished working paper; cf. also TPIC/6, 6 April 1982.

63. Comparable contrast of all consortia in "Seabed Mineral Resource Development," New York, 1982, ST/ESA 107, Add 1, 1 April 1982.

64. People's Republic of China, TPIC/7, 19 April 1982; cf. also Letter of the FRG Delegation, A/Conf 62/L 151, 7 May 1982.

65. A/Conf 62/L 132/Add 1, 22 April o982 and L 141/Add 1, 28 April 1982.

66. Cf. Appendix IV, Statute of the Enterprise, art 11, sec 3.

67. Item numbers refer to documents A/Conf 62/L 132 Add 1 and L 141 Add 1.

68. In this respect the delicate question arises whether there will even be an increase in nickel consumption during the period specified for ascertaining the permissible production quantities in the world; cf. details in art 151, sec 2b.

69. Cf. A/Conf 62 C 1/L 30, 29 March 1982, p 6, and A/Conf 62/L 93, 2 April 1982, p 3.

8991
CSO: 5200/2117

SCHRAM: ICELAND CAN BAN SALMON FISHING BEYOND 200-MILE ZONE

Reykjavik MORGUNBLADID in Icelandic 18 Jul 82 p 48

[Article: "Iceland Can Ban Salmon Fishing beyond 200-mile Zone"]

> [Text] It is stated, among other things, in Article 66 of the Law of the Sea Treaty drawn up last April, that home countries are responsible for the welfare of salmon runs that breed in their rivers and that these countries may set maximum catches for those salmon runs that leave their rivers for the ocean, pursuant to discussions with the countries fishing the runs. According to this article, Iceland has the right to limit the catches of Icelandic salmon taken by other countries outside Iceland's 200-mile zone. This would be grounds to ban fishing the runs entirely, if this were allowed, although the article in question speaks only of catch limits. These facts came to light in an article published by Professor Dr. Gunnar G. Schram in MORGUNBLADID yesterday.

It is also stated in the article that the reservation is made in this area that there be discussions with other countries fishing Icelandic salmon on conditions for catch limitations. Dr. Schram says in his article: "There is nothing in Article 66 on preconceptions with regard to limited catches. The clause can scarcely be interpreted in any other manner than that Iceland can set catch sizes unilaterally since there was no intention that other countries would have a veto power in this area and nothing about this in the text of the agreement."

In Dr. Schram's view this clause is extremely important for countries considering their salmon runs to be endangered due to overfishing by other countries. On the other hand, achieving catch limitations may prove difficult since it will have to be proven what proportion of Icelandic salmon is caught by foreign fishing ships. That will only be achieved through careful research.

It is also mentioned in the article that another treaty article contains a clause to the effect that if salmon enter the economic jurisdiction of another country that country shall cooperate with the home country of the salmon on necessary protection and administrative measures to maintain the salmon runs. Iceland could request that the Faroese Islands take part in carrying out those protection measures thought necessary to protect the Icelandic salmon runs against overfishing. The Faroese could not refuse since the agreement directly requires them to do this, said Dr. Schram.

The Law of the Sea Treaty has still not been ratified but Denmark (and through Denmark the Faroese Islands) has approved it and will sign in a few months. "Thus they have, at the very least, a moral obligation to carry out the provisions of the treaty," said Dr. Schram in his article.

9857
CSO: 5200/2100

PAPER URGES GOVERNMENT TO STAND FIRM AGAINST USSR ON LIMIT IN BALTIC

Stockholm SVENSKA DAGBLADET in Swedish 25 Jul 82 p 2

[Editorial: "Border in the Sea"]

[Text] Sweden's border with the USSR in the Baltic has become a special election theme since the Swedish political debate is now focusing on Gotland. Statements and denials about proposals and bids are now crossing each other. The leaders of the Moderate Coalition Party, Adelsohn and Bohman, both criticized the government during their visits at fishing villages in Gotland and at the west coast on Friday.

The division of the continental shelf and fishing in the Baltic has to be made between the two countries--there is agreement in this respect. But the Soviet Union claims that the dividing line shall be drawn between the Swedish mainland and the Baltic countries, not counting Gotland. This is an unreasonable point of view, without support in public international law.

The dispute has now lasted almost 13 years. During negotiations between Sweden and the Soviet Union this year in January there was obviously a discussion about drawing a border that would mean Sweden giving up smaller parts of the controversial area. It would instead finally be possible to draw up a definite border for fishing and the continental shelf. The Soviets did not agree to this. The people on Gotland lashed out as did the moderates. Foreign Minister Ola Ullsten now denies that the government has presented a proposal for a compromise. But he hints that something might have happened at the official level.

This is not a nice way to arrange for the retreat. Maybe there has never been a "proposal," but there have been discussions anyway. It seems unbelievable that officials would operate on their own.

The government simply got no answer from the Soviet Union and it has found the domestic criticism against concessions too strong. Therefore the negotiation table is now clean, according to Ullsten. That means that Sweden stands by the middle line between Gotland and the Baltic coast.

It is urgent to find a solution to the dispute. But fishing in the Baltic is especially important for Sweden onw that the North Sea is closed. And the public international law is on Sweden's side. Therefore, the Swedish government must have as much ice in the stomach as the Soviet government.

9662
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END

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3 November 1982

Worldwide Report

LAW OF THE SEA

No. 212

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BALTIC COMMISSION FAILS TO AGREE TO LIMIT COD, SALMON CATCH

Stockholm DAGENS NYHETER in Swedish 30 Sep 82 p 5

[Article by Elle-Kari Hojeberg]

[Text] The Baltic Fisheries Commission, which concluded its annual meeting in Warsaw last week, has once again failed to reach agreement on the allocation of cod and salmon fishing in the Baltic Sea. The result is that the stock may eventually be depleted.

The fisheries commission consists of the seven Baltic states. It meets every year to agree on the allocation of fishing in the Baltic during the coming year.

Concerning herring and Baltic herring, the commission decided to recommend to the member states that the total catch during 1983 not exceed 474,900 tons.

Of that total, a maximum catch of 89,000 tons will be allowed in the Gulf of Bothnia and the Aland Sea. In the Swedish fishing zone in the rest of the Baltic Sea, the highest catch allowed will be 102,000 tons, meaning that fishing in that area can be kept at the same level as this year.

The commission is also recommending that the total catch of sprat remain unchanged at 47,900 tons, of which 5,500 tons can be taken in the Swedish fishing zone.

As far as cod and salmon fishing is concerned, the commission has failed for several years to reach agreement. Biologists are recommending restrictions on the fishing quota that several of the member states have not been able to accept.

"Since no agreement could be reached, each country must set its own limits on salmon and cod fishing," says Hans Danelius, under secretary for legal and consular affairs in the Ministry of Foreign Affairs. He is the newly elected chairman of the fisheries commission.

The combined catch will therefore exceed the level considered suitable by biologists in view of the fish population.

Where salmon are concerned, the issue is further complicated by the fact that much of the stock is artificially produced.

Overfishing

"The young salmon are put out in rivers, especially in Sweden and to a lesser extent in Finland and the Soviet Union," says Hans Danelius.

"Sweden therefore claims that they should also have a larger share of the salmon fishing quota. But Denmark, for example, which has an extensive salmon fishing industry, has refused to accept that."

The commission did agree, however, that the off-season for salmon will again be extended by 2 weeks this year as a measure for protecting the stock.

Bo Palsson, representative for the South Coast Fisheries Central Union, says: "In general, we are pleased with the agreement reached in Warsaw."

11798
CSO: 5200/2502

TAIWANESE FISHING VESSEL CAUGHT IN NEW ZEALAND WATERS

Wellington THE EVENING POST in English 2 Oct 82 p 1

[Text]

A Taiwanese fishing vessel inside New Zealand waters was swooped on by the Navy early this morning, following a two-day stake-out of the vessel by Air Force Orions.

The trawler, 51 Feng Yuan, was one of two intruders detected inside this country's 200-mile Exclusive Economic Zone (EEZ) by patrolling RNZAF aircraft this week.

Korean representatives have since been requested to order a Korean long-liner, Dong Jin, into Auckland for investigation.

The Taiwanese vessel was caught in the northern most part of the EEZ near the Kermadec Islands, about 450 nautical miles northeast of Auckland.

It is now being escorted to Auckland by the Navy's hydrographic survey vessel, HMNZS Monowai, and is expected to berth about Tuesday or Wednesday.

The whole operation has been largely orchestrated by the 24-hour fisheries control centre in Wellington, and was described by the fisheries controller, Lt-Cdr David Davies, as being "as near a text-book operation as could have been wished for."

Monowai was near Tonga at the time the intruders were detected, and was dispatched to carry out surface interception with the trawler. Monowai crewmen boarded the vessel.

Meanwhile, the RNZAF maintained a 24-hour surveillance of the foreign boats before Monowai intercepted the Taiwanese boat at 7am today.

Mr Davies said the operation had to be played "extremely quietly" because of the distance Monowai had to come in order to intercept one of the offenders.

No word of the operation was leaked. Orions conducted their surveillance from high altitudes so no suspicions were aroused onboard the fishing boats.

Monowai literally "downed tools" in the middle of a survey off Tonga to take part in the operation and will later return to pick up crew and equipment.

CSO: 5200/9109

AUSTRALIA

WA FISHERMEN SEEK EASIER PROSECUTION OF FOREIGN POACHERS

Perth THE WEST AUSTRALIAN in English 2 Sep 82 p 42

[Text] **WA FISHERMEN say that amendments to the Fisheries Act to make it easier for the Department of Fisheries and Wildlife to obtain convictions for offences involving foreign vessels are embarrassing but necessary.**

The amendments, contained in legislation before State Parliament, place the onus of proof on the defence when a person is charged with using a foreign boat to commit an offence.

People charged under the amended Fisheries Act would have to prove that their boat was not a foreign boat.

The Minister for Fisheries and Wildlife, Mr Old, said when introducing the legislation that the amendments had been introduced because of difficulties in prosecuting Indonesian fishing boats.

Council view

The WA president of the Australian Fishing Industries Council, Mr Graeme Stewart, said yesterday that it was embarrassing that people could be regarded as guilty till proved innocent.

But it seemed necessary to give the department the power it needed to control such offences.

"At the moment, those who have been doing the right thing are probably saying to themselvs that they are pretty stupid when others are getting off free," he said.

Mr Stewart said that the council also approved amendments to the Act to dispense with the need for personal fishing licences for members of fishing crews.

At present, it was difficult for owners or masters of fishing vessels to recruit extra crew if some left the ship during a stopover at a regional port.

CSO: 5200/7505

BRIEFS

OFFSHORE OIL EXPLORATION--OFFSHORE petroleum exploration received a much-needed shot in the arm yesterday with the announcement that two major consortia planned to spend $41 million on two areas off the northern West Australian coast. The consortia will drill a total of six wells to explore WA-196P in the Carnarvon Basin and WA-197P in the Browse Basin. They plan to carry out a total of 2600km of seismic survey. Yesterday's news will be a confidence booster for the oil exploration industry which has been in the doldrums and was rocked last month by the Esso-BHP consortium's decision to pull out of a $60 million drilling program on the Exmouth Plateau because of a disagreement with the West Australian Government. The only slight disappointment of the latest news is that the two consortia were the only ones to apply for the off shore areas. In the past the West Australian Government could have counted on several competing groups to boost the level of work commitments. A consortium led by Petrofina Exploration Australia has been awarded WA-196P for six years. The permit covers an area of about 18,300 sq km south-west of Shark Bay During the permit period theconsortium plans to drill four exploration wells and undertake 1100km of seismic survey, for a total expenditure of $21.3 million. [Text] [Canberra THE AUSTRALIAN in English 2 Sep 82 p 11]

GIPPSLAND BASIN FLOW--MELBOURNE--Bream five well in the Gippsland Basin, offshore Victoria, had recovered gas and very small volumes of condensate, Broken Hill Proprietary Co Ltd said yesterday. BHP said the well had reached a depth of 3,018 metres where wireline logs had been run. The gas recovery resulted from a wireline test run over the interval 2,707 metres to 3,018 metres. The condensate was recovered from 2,833 metres, 2,947.8 metres and 2,968 metres. [Text] [Brisbane THE COURIER-MAIL in English 3 Sep 82 p 30]

SIX-WELL GIPPSLAND PLAN--Phillips Australian Oil Company will begin a six wells drilling programme off the coast of Victoria. The company, acting as operator for two consortia, will drill four wells in Vic P18 in the Gippsland Basin, and two wells in Vic P 14 in the offshore Otway Basin by the end of 1983. Phillips has an equal share with MIM and Lend Lease Petroleum in the Gippsland Basin permit, while it equally shares the Otway Basin permit with MIM and the Gas and Fuel Corporation. The Gas and Fuel Corporation said yesterday that the two consortia had contracted the sem-submersible Diamond "M" Epoch for the drilling programme. The first well will be the highly prospective Discovery Bay 1 well off Portland. [Text] [Melbourne THE AGE in English 17 Sep 82 p 18]

CSO: 5200/7505

BRIEFS

VERSATILE RESEARCH SHIP--India has just taken delivery of an oceanographic research ship built by the Schlichting Shipyard in the Baltic Sea port of Luebeck-Travemuende and financed entirely (DM 80 Millions) by the Federal Republic of Germany. The 100-metre-long and 16.39-metre-wide Sagar Kanya, which has a maximum speed of 14.25 knots, is one of the largest and most modern oceanographic research vessels in the world, according to Mr. Heinz Ebert, Manager of the Schlichting Shipyard. Unlike other ships of its kind, it is capable of conducting experiments in a very wide area of oceanographic research. The ship has a wide variety of basic outfits like laboratories, special equipment and working area to conduct research activities in geology, geophysics, meteorology, physical and chemical oceanography and marine biology. Sagar Kanya will further expand the research activities carried out by the National Institute of Oceanography on board the indigenously-designed and built research ship Gaveshani in collecting polymetallic nodules from the Indian Ocean seabed. The collection of the nodules containing manganese, nickel, cobalt and copper has assumed great significance especially after India qualified for the status of "pioneer investor" as defined by the recent U.N. Law of the Sea Conference. The christening of the 1,300-tonne dwt vessel was done by Mrs. Zainub Khusro, wife of India's Ambassador to West Germany, Dr. A. M. Khusro. [Text] [Madras THE HINDU in English 15 Sep 82 p 7]

CSO: 5200/7001

CHAOS IN MARITIMF LAWS PREDICTED UNLESS LOS ENFORCED

Foreign Ministry Official

Christchurch THE PRESS in English 30 Sep 82 p 16

[Article by Karren Beanland]

[Text]

Unless the Law of the Sea agreement comes into force, the world's maritime laws will be in chaos, Mr W. R. Mansfield, a member of the New Zealand delegation at several sessions of the Law of the Sea conference, told a Parliamentary seminar in Wellington last week.

Mr Mansfield, who is the head of the legal division of the Ministry of Foreign Affairs, gave a background to the Law of the Sea to the 26 Australasian and Pacific regional delegates at the two-day seminar.

The Law of the Sea negotiations had often been disparaged because they had taken 10 years and after all that time, the United States had said it would not sign the agreement.

However, the negotiations had resulted in a revolution in maritime law Mr Mansfield said. They had set new rules on ownership, rights of access, and exploitation for an area that covered the greater part of the planet. Considering the scope of its task, the conference had completed its work in a relatively short time. Its consequences would be "here to stay."

The agreement was of very great significance to countries in the South Pacific, he said.

Before the 1950s, the general belief was that maritime law was settled. Each country owned the narrow band of sea surrounding it. Beyond that, the sea belonged to everybody.

In effect, there was no law at all, he said.

A feeling grew that the laws were inadequate and inequitable.

They were inadequate because of the changes in technology, which changed many of the fundamental assumptions on which the laws were based.

Technological developments made possible the mining of minerals and oil from the sea bed. In the 1960s, nearly all oil was exploited on land; now more than 20 per cent of the world's oil supply came off shore. It was also recognised that major mineral and metal resources, such as manganese, cobalt, and copper, were available on the sea bed.

Advances in fishing technology, particularly the development of highly mobile fishing fleets, challenged the assumption that fish was a renewable and limitless resource.

Growing problems with pollution and military uses of the sea also showed the inadequacy of the old maritime laws.

About 10 million tonnes of pollutants, from the transportation of chemicals, from oil exploitation, and from the run-off from fertilisers, went into the sea each year.

"We now have submarines capable of circumnavigating the world under water in a very short time and the possibility of nuclear weapons on the sea bed," said Mr Mansfield.

On top of these problems, there was a growing recognition by the coastal states, especially in the Third World, that the developed nations had an advantage because of their access to technology and finance.

Late in the 1940s and 1950s, the first crisis in traditional maritime law emerged when a number of countries made claims of sovereignty extending well beyond the accepted three-mile limit. The United States claimed that the continental shelf belonged to it — the first time any country had made a claim to the sea bed.

"If this was carried far enough, we had the prospect of a new kind of colonial scramble," he said.

In 1958 and in 1960, the United Nations convened two conferences on the Law of the Sea to stabilise the situation. These produced four conventions, but they failed to reach agreement on the size of territorial seas and to find a lasting definition of the continental shelf.

It was feared that if something was not done to control the rapid expansion of coastal state claims, they would eventually extend so far that they would meet in the middle of the ocean.

It was soon realised that a new Law of the Sea conference could not confine itself to these points alone. Rules on the exploitation of the deep sea bed, on the rights of passage through international straits, on the prevention of pollution, on research, and on the settling of disputes were needed.

Achieving these rules in an agreement was complicated by the conflicting interests of the groups involved. Big maritime nations, islands and coastal states, and land-locked countries all had different desires which had to be reconciled.

Gaining agreement for the 300-clause treaty was a laborious process, which represented "quite an achievement." The treaty detailed a very complex regime, which protected the deep sea bed as part of the common heritage of mankind and allowed exploitation to take place under the control of an international sea bed authority, which would be based in Jamaica.

The United States had been prepared to sign the agreement until the Republican administration was elected in 1980.

President Ronald Reagan's reaction to it was "negative" and, even after a year-long review, the United States decided not to sign it.

"Even without the United States, the adoption of the convention is extremely important. As long as the rules set out in the agreement were only in a draft, there was a danger that they could be undermined," he said.

"It is important that as many countries as possible sign the convention, so we can bring it into effect."

Mr Mansfield said that the agreement was particularly significant for Pacific nations. Their success was because they worked together well and became an extremely effective negotiating group. They managed to focus attention on the Pacific in a way that had not been achieved in other negotiations.

After a long and "hard fought" battle, they managed to include in the treaty a clause giving small islands the right to the same sized economic zone as big nations. It protected the right to all the fish in the economic zone, including migratory species such as tuna.

A special regime for archipelagos provided protection for Fiji, Papua-New Guinea, and the Solomon Islands. They were entitled to base their 200-mile economic zone from the line around the outermost islands in the group. Areas within the group could be designated as international waters.

The right of a coastal state to exploit the continental shelf, even beyond its economic zone, was protected. This applied especially to Australia and New Zealand.

Mr Mansfield said that the Law of the Sea conference had its final sitting last week, when it agreed on the wording of the treaty in six languages. The agreement will be open for signing in Jamaica from December 6 to 10, this year.

The New Zealand Cabinet has yet to give its final agreement to the treaty, although the Government has indicated its support in the past and the Prime Minister, Mr Muldoon, has been an advocate for the treaty. A resolution passed at the recent South Pacific Forum conference in Rotorua recently called on all countries to support the agreement.

A spokesman from Mr Muldoon's office said the Cabinet would be asked to ratify the treaty in the next three months.

Christchurch 'PRESS' Editorial

Christchurch THE PRESS in English 2 Oct 82 p 14

[Editorial: "Interests in Law of Sea"]

[Text]

The Pacific countries, including Australia and New Zealand, are among those which have great interests at stake in the outcome of negotiations on the Law of the Sea. The granting of fishing rights to foreign fishermen in waters around New Zealand is among the practical applications of the law. The 200-mile Exclusive Economic Zones have become so widespread that it can easily be forgotten that these zones, and the management of fishing within them, were linked to the establishment of a new Law of the Sea.

Although the Law of the Sea Treaty was adopted, the United States rejected it. Unless it is endorsed by the United States the treaty can be considered to be incomplete. One of the worrying aspects of the failure to conclude the negotiations is that most coastal States have designated 200-mile zones for themselves already. The basic deal in the treaty was that coastal States would get their 200-mile zones and other countries would get the rights to pass through and fly over these zones. Although the zones have been claimed, the treaty must be accepted widely as law before the rights of passage and overflight are guaranteed.

All kinds of difficulties could arise over passage through straits or though groups of islands. Because of the power and influence of the United States, the treaty needs the backing of that country to help the credibility of the new Law of the Sea. The condition in which the United States has left the treaty is bad enough. If the United States also made a treaty among technologically-advanced countries to share the resources of the deep seabed, the treaty would be seriously undermined.

The United States rejected the draft of the treaty because of American reservations about the arrangements for the mining of the deep seabed. A revealing discussion of what occurred within the Reagan Administration and within the American delegation to the negotiations was published in the American journal, "Foreign Affairs." The article was written by the deputy chairman of the American delegation, Mr Leigh S. Ratiner. He confirmed what had long been suspected, that the conflict within the United States was between the ideologues and the pragmatists.

The ideologues, arguing on matters of principle, rejected all concepts such as that the deep seabed is part of the "common heritage of mankind." They were against any restrictions on American companies which wanted to mine. The ideologues did not want any sharing of technology or any international authority which would share in the development of the resources of the deep seabed. The pragmatists wanted to secure as many rights for American interests as possible and were prepared to stomach, though without enthusiasm, some of the rhetoric of the Third World. The pragmatists considered that over-all American interests would he harmed if the United States rejected the convention outright. The ideologues won and the negotiating team went to the table with a series of propositions that were not acceptable to the conference. New Zealand and 11 other countries tried in vain to effect a compromise.

The most pressing matter for a number of the countries of the South Pacific in declaring their Exclusive Economic Zones is the refusal of the United States to recognise the right of coastal States to tuna, which are a highly migratory species of fish. The importance to the Pacific countries is that tuna is, in some instances, the only valuable fish resource they have. The Pacific Forum countries had hoped that once the Law of the Sea Treaty was signed, the United States would be able to change its own law on highly migratory species. Now that the United States has refused to sign the treaty there seems little chance that the United States will be able to do much to restrain its fishermen. An incident in which Papua New Guinea arrested an American tuna boat and the possibility of sanctions being imposed against Papua New Guinea left some resentment in Papua New Guinea. The possibility of further similar incidents remains high.

In a broader sense, the rejection of the treaty by the United States is embarrassing to friends of the United States. The Soviet Union abstained on the vote but has since said that it will sign the treaty. This means that the United States can be depicted by the Soviet Union as greedy and the Reagan Administration as being influenced strongly by commercial interests. Such arguments may well have some influence among poorer countries, of which the Pacific has several. It is an argument that is all the harder to rebut because commercial interests undoubtedly had a profound influence on the Reagan Administration on the issue.

Many other countries have no less interest in grabbing what they can from the oceans. They may even depend upon it, and the label "national interest" is much more respectable than "commercial interest," even if the results in the oceans are the same. Such terms as "common heritage of mankind" hardly stand an attempt at definition. Mankind may seem to be master of what it is technically able to exploit and consume; inheritance implies a proprietorship that amounts to no more than human presumption.

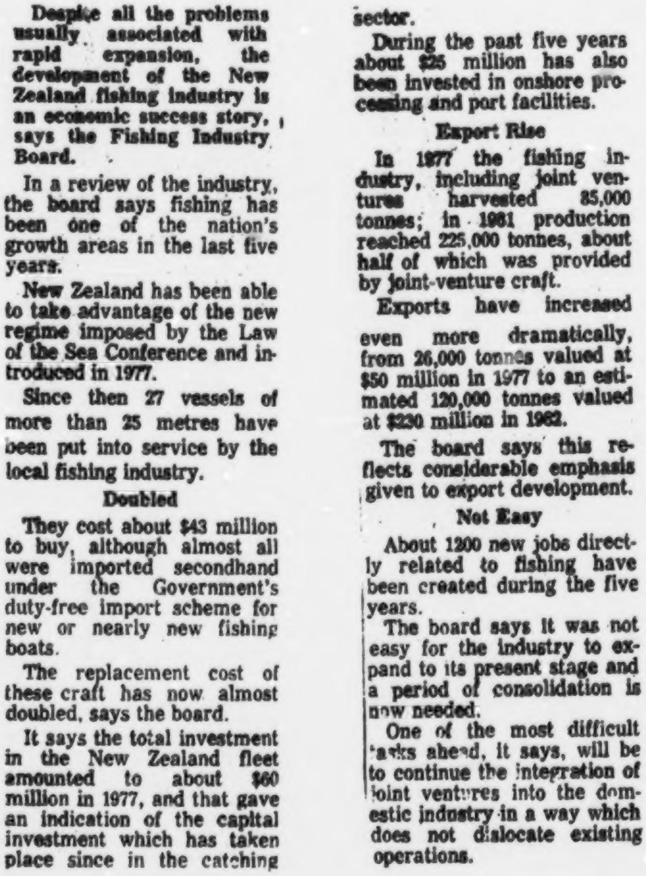
Nevertheless, such terms are conveniently invented for the purposes of what can be agreed upon as prudent management, conservation, and an allocation of resources with minimal dispute and some regard for custom. The world at large would be far better off if the United States joined in the treaty and used its influence for a common good in which it would have its fair share.

CSO: 5200/9110

LOCAL FISHING INDUSTRY TERMED ECONOMIC SUCCESS STORY

Auckland THE NEW ZEALAND HERALD in English 27 Sep 82 p 22

[Text]



Despite all the problems usually associated with rapid expansion, the development of the New Zealand fishing industry is an economic success story, says the Fishing Industry Board.

In a review of the industry, the board says fishing has been one of the nation's growth areas in the last five years.

New Zealand has been able to take advantage of the new regime imposed by the Law of the Sea Conference and introduced in 1977.

Since then 27 vessels of more than 25 metres have been put into service by the local fishing industry.

Doubled

They cost about $43 million to buy, although almost all were imported secondhand under the Government's duty-free import scheme for new or nearly new fishing boats.

The replacement cost of these craft has now almost doubled, says the board.

It says the total investment in the New Zealand fleet amounted to about $60 million in 1977, and that gave an indication of the capital investment which has taken place since in the catching sector.

During the past five years about $25 million has also been invested in onshore processing and port facilities.

Export Rise

In 1977 the fishing industry, including joint ventures harvested 85,000 tonnes; in 1981 production reached 225,000 tonnes, about half of which was provided by joint-venture craft.

Exports have increased even more dramatically, from 26,000 tonnes valued at $50 million in 1977 to an estimated 120,000 tonnes valued at $230 million in 1982.

The board says this reflects considerable emphasis given to export development.

Not Easy

About 1200 new jobs directly related to fishing have been created during the five years.

The board says it was not easy for the industry to expand to its present stage and a period of consolidation is now needed.

One of the most difficult tasks ahead, it says, will be to continue the integration of joint ventures into the domestic industry in a way which does not dislocate existing operations.

CSO: 5200/9110

REGULATIONS ON SKIPJACK TUNA FISHING PROMULGATED

Domestic Fishing Reduced

Christchurch THE PRESS in English 30 Sep 82 p 2

[Text]

Chartered purse-seiners will be allowed limited access to New Zealand territorial waters for the coming skipjack tuna season.

The Minister of Fisheries, Mr MacIntyre, said the vessels would be permitted to purse seine for skipjack on the west coast of the North Island, but denied access to territorial waters on the east coast.

The position of the east coast north of 35deg. would be kept under review, particularly if the domestic fleet did not fish the area.

Eleven charter applications had been approved. The vessel approvals held by Jaybol (three), Watties (three), New Zealand Pelagic (three), and Nelson Fisheries (one) last year had been renewed and a new approval had been extended to Purse Seiner Services (N.Z.), Ltd.

He said the increase in the vessel allocation had been made because domestic fishing was likely to be reduced as the big New Zealand-owned vessel Finisterre was not expected to work in New Zealand waters during the coming skipjack season.

There would be provision to reallocate these approvals to successful charterers or new ventures if existing ventures did not recruit vessels by December 1.

Scientists estimated the skipjack run through New Zealand waters could yield 24,000 tonnes a year, Mr MacIntyre said.

Domestic and joint-venture catches together in recent seasons had averaged about 7600 tonnes, and so the stock was clearly not under unreasonable pressure.

On average 58 per cent, or 14,000 tonnes, of the catchable resource was outside the 12-mile limit each year and 10,000 tonnes inside.

Every two or three years the bulk of the fish surfaced inside the limit, he said. For this reason, on an experimental basis only, the chartered purse-seiners were being permitted into the territorial sea on the west coast this season.

Licence fees would remain at $65 a tonne, Mr MacIntyre said.

No major changes were proposed for the southern bluefin tuna fishery in the coming season. The existing quota of 5000 fish would be maintained in the west coast winter fishery for domestic vessels.

The request by the Federation of Commercal Fishermen for a back-up freezer vessel for 1982-83 had been agreed to in principle and a final decision would be made when the results of the 1981-82 season fishing became known, he said.

Some 96 Japanese vessels, the same number as last year, would be allowed into the south and east coast longline fishery for southern bluefin. But in future years this number was likely to be reduced to protect the stock and to accommodate greater domestic catching, Mr MacIntyre said.

To reflect market demand for southern bluefin tuna, licence fees were being increased from $27,000 to $36,000 a vessel.

Super Seiner Laid Up

Auckland THE NEW ZEALAND HERALD in English 1 Oct 82 p 3

[Text]

New Zealand's first big venture into international purse seining with a super seiner appears to have failed.

The problem is that the boat is laid up in the United States. Her owners have been given permission to charter three foreign boats to work New Zealand waters in her place this summer.

The tuna clipper is the 1054-tonne Finisterre. When she was taken over by the New Zealand Pelagic Fisheries Development Company in 1976 it was intended that she pioneer international skipjack tuna fishing by New Zealanders in conjunction with American interests.

That was one of the original conditions under which American super seiners were allowed into New Zealand's 200-mile zone.

The company said she had been laid up in the United States since the end of the last New Zealand tuna season.

The Ministry of Agriculture and Fisheries has just announced the regulations for this summer's skipjack tuna fishing and it allows the Pelagic fishing company to charter up to three foreign boats.

The Finisterre is New Zealand registered and crewed. A Pelagic company spokesman said there was a financial risk involved in employing her.

Under many of the joint venture agreements approved by the ministry, the New Zealand partners are not exposed to any financial risks.

Their role is often little more than a port agent who organises providoring and maintenance but takes a percentage of the catch in payment.

The Pelagic company spokesman said the company had taken foreign chartering options because there was a "no loss situation involved."

He said there was no particular intention to bring the Finisterre to New Zealand this season. Part of the problem was depressed tuna prices.

An associate company is now operating other New Zealand owned and maned super seiners in Fiji waters. They are the Western Pacific and Western Ranger.

He said they had been operating very successfully in those waters but it was too early to say if they would come back to New Zealand this season.

In announcing the new skipjack fishing rules yesterday, the Minister of Fisheries, Mr MacIntyre said they would be allowed access to New Zealand territorial waters this season.

Industry Board Protests

Auckland THE NEW ZEALAND HERALD in English 2 Oct 82 p 8

[Text] Whangarei

A dangerous precedent had been set with the ministerial decision to allow both joint-venture and foreign purse-seiners within New Zealand territorial waters, says the chairman of the Fishing Industry Board, Mr Mark Hinchliff.

The board would make very strong and urgent representations to the Minister of Agriculture and Fisheries, Mr MacIntyre, expressing its concern at the decision to allow the skipjack tuna boats within the 12-mile limit.

"Allowing foreign vessels within the 12-mile limit would not occur anywhere else in the world. It is setting a serious and dangerous precedent, and we will tell the minister this," Mr Hinchliff said.

The fishing industry board met at Waitangi for one of its two meetings each year outside Wellington. It also met, in committee, representatives of the Northland commercial fishing industry. Following the joint meeting, Mr Hinchliff said both the board and Northland fishermen had been strongly opposed to the decision, released this week, on the skipjack tuna licences.

"Our concern is that this decision may be a precedent for similar action in other areas of the industry. Once it has been established that we are letting foreign vessels into one sphere of the industry, we could have people coming in under the law of the seas in other spheres."

He said the board's concern was with the precedent rather than at the implications on the skipjack tuna resources.

But on the surface the decision was unacceptable.

The ministerial decision on the skipjack tuna sets no vessel limits for the domestic ventures and a limit of 11 vessels for co-operative ventures, one of which may be Japanese.

"The Government has decided the fishery should yield its full potential and therefore the catching capacity should, as far as possible, be provided with access to the bulk of the resource each season," says the department.

CSO: 5200/9110

SQUID CATCH QUOTAS SET AT SAME LEVEL AS 1982

Wellington THE EVENING POST in English 2 Oct 82 p 22

[Excerpt]

Quotas for the 1982-83 squid season have been set at the same level as last year, the Minister of Fisheries, Mr MacIntyre reports.

The exclusive economic zone squid stock was still assessed at 600,000 tonnes by scientists, and as a result the total allowable catch of 90,000 tonnes set for 1981-82 would again apply, Mr MacIntyre said.

This would be divided in the same way as previously. There would be a jigging allocation for the whole of the zone of 40,000 tonnes, and a trawl allocation of 50,000 tonnes made up of 30,000 tonnes to be taken from Auckland and Campbell Island waters and 20,000 from elsewhere in the zone.

Japan, Korea and the USSR would again be allowed to trawl for around 23,000 tonnes. The domestic and joint venture fleets would have access to the remaining 27,000 tonnes or so.

The jigging quota of 40,000 tonnes would again be available to 180 vessels. Of these, 78 would be joint-venture and 102 foreign-licensed.

CSO: 5200/9110

DRILLING RIG TO BEGIN OFFSHORE EXPLORATION IN JUNE 1983

Auckland THE NEW ZEALAND HERALD in English 9 Sep 82 Sec 3 p 4

[Text]

New Zealand Oil and Gas Ltd has contracted for a drilling rig to bore the first well in its prime prospect area in the Taranaki Basin.

The company has also secured a position in a well to be drilled in another offshore Taranaki block.

NZOG said yesterday that a consortium had arranged for a semi-submersible drilling rig to start work in New Zealand waters in June. The present programme is for the platform to drill at least four wells.

NZOG has contracted for one of the well "slots" so that a well can be drilled within the area of its prospecting licence area 33113 during the permit year which ends on May 15, 1984.

The commitment has been supported by Petrocorp, the other participant in the licence area.

Reserved

NZOG has also taken a 10 per cent position in a second well slot which has been reserved by the participants in prospecting licence area 33116. Petrocorp is the operator for this area which lies offshore, to the south of the Kapuni field and is within the Kupe block structure. A Fletcher Challenge subsidiary is also a partner in this licence area.

The NZOG directors said the commitments were a reasonable commercial risk, justified by the need to make sure that a suitable rig was available at competitive rates to meet the company's likely drilling requirements on areas in which it had interests.

The rig is still under construction in Scotland. It is described as the enhanced Pacesetter design, capable of operating in water depths of up to 457 metres (1500ft) and drilling to a depth of 7600 metres.

The rig is regarded as being ideally suited to the roughest weather conditions in the Taranaki Basin and elsewhere off the New Zealand coast, and lost time through bad weather is expected to be minimal.

Unsuccessful

The last New Zealand offshore drilling was completed last year by the drill ship Sedco 445 which left the country in December. It was unsuccessful in a four-well programme in spite of some whiffs of hydrocarbons.

It drilled the Tangaroa well 75 kilometres off Kawhia, Kiwa south-west of the Maui field and Wainui 92 kilometres north-west of New Plymouth for Shell BP Todd and Petrocorp and the Mikonui well off Greymouth for a consortium of companies in the NZ Petroleum licence area.

The new rig will be the first semi-submersible rig used for drilling in New Zealand waters since Penrod 4 completed its programme for the Seahunt partners, Hunt Petroleum and Phillips Petroleum, in the Great South Basin in the summer of 1973.

CSO: 5200/9108

MINISTER WARNS AGAINST OVEREXPLOITATION OF FISHERIES

Wellington THE EVENING POST in English 9 Sep 82 p 12

[Text]

Reckless exploitation at the expense of management must not be allowed to hole the buoyant New Zealand fishing industry, according to the Minister of Agriculture and Fisheries, Mr MacIntyre.

Opening the joint Fisheries Research Centre/Oceanographic Institute building at Greta Point, Mr MacIntyre noted that export receipts from fishing rose from $20.4 million in 1973 to $63.6 million in 1978.

"In the next three years export values trebled again to $192 million by the end of 1981," Mr MacIntyre said.

However as demands on fisheries increased research was needed to ensure a future for the industry.

Manage

"We have a national and international responsibility to manage our resources not only for the present but for the future," said Mr MacIntyre.

"We need to develop towards full utilisation rather than reckless exploitation which has, all too often, led to the downfall of fisheries elsewhere in the world."

The $8.2 million centre was an investment in the future of the fishing industry, Mr MacIntyre believed.

Scientists of the centre would continue research into existing fishing methods and new fields such as shellfish farming, tuna export and orange roughy.

Research staff were keenly aware their recommendations for conservation or exploitation of stocks had a serious impact on the livelihood of fishermen.

"Unlike their counterparts in agriculture, they have to be concerned with adjusting the harvest to the natural production — rather than in trying to improve production and the harvest," he said.

Processing

Just as in agriculture, however, it was increasingly important to consider further processing of the product.

"They (fish) have cost money to haul up from the bed of the ocean and there should be every effort to obtain the maximum return from the catch in terms of high-quality food products and useful by-products," Mr MacIntyre said.

"With the capital investments involved we cannot afford to make mistakes," said Mr MacIntyre. "Thus as the offshore fisheries in particular develop, so must the accompanying scientific expertise."

CSO: 5200/9108

BRIEFS

FISH CATCH STATISTICS--Nelson, Sept 10 (PA)--Auckland had the most valuable fishing catch landed last year, the Ministry of Agriculture and Fisheries said today, while the biggest catch at any New Zealand port was at Nelson. The ministry's domestic catch figures for 1981 released today show that $8,250,000 worth of fish were landed at Auckland while at the city's Tasman port, Manukau, $6,719,000 worth were brought ashore. Nelson's catch was easily the biggest--14,591 tonnes were landed, the third most valuable at $3,828,000. The Manukau catch was 8205 tonnes. Auckland was third with 7535, followed by Tauranga 7037, Gisborne 6800, Timaru 6377 and Greymouth 5316 tonnes. Other ports with their catch tonnages are: Port Chalmers 2512, Lyttelton 2160, Wellington 2000, Motueka 1904, Napier 1897, Kaikoura 1617, New Plymouth 1547, Mangonui 1453, Akaroa 1410, Bluff 1322, Wanganui 1168, Whangerei 1158 and Raglan 1130. [Text] [Wellington THE EVENING POST in English Sep 82 p 4]

CSO: 5200/9108

INCENTIVES PROMPT FISHERMEN TO RISK JAIL OVERSEAS FOR TERRITORIAL WATERS VIOLATIONS

Bangkok BANGKOK POST in English 9 Sep 82 p 4

[Article by Nongnuth Kimanonth]

[Text] **DURING the last three years, 116 Thai trawlers — valued at more than 400 million baht — were seized for fishing in foreign waters, according to Fisheries Department records.**

The seizure of these boats reflects the serious problems being faced by the fishing industry.

Figures provided by the Conservation and Extension Division of the Fisheries Department show that foreign authorities this year confiscated more than 35 Thai trawlers and jailed more than 1,000 crewmen.

Thai fishing boats are normally well equipped — containing radar, sonar fish finders, freezer, and radio transmitter and receiver — and are capable of trawling in deep waters. Of those seized only a few have been returned, representing a huge loss to the industry in terms of equipment and investment.

The majority of Thai trawlers are seized in Vietnamese waters. While the number of crewmen arrested is unknown, the Fisheries Department reported this year alone the Vietnamese have already seized 17 Thai trawlers.

"Most trawlers seized by the Vietnamese were confiscated. Somewere returned in bad condition with their engines and trawling equipment removed" Director-General of the Department of Fisheries Capt Sawang Charoenpol RN said.

Records kept by the Samut Sakhon Fishing Cooperatives, show that about 100 Thai trawler crewmen have been shot dead in the past seven years for allegedly trespassing into Vietnamese territorial waters.

A recent case occurred last May when a Thai vessel was fired on while fishing illegally in Indonesian waters. Four Thai crewmen were injured.

Informed Foreign Ministry and Fisheries Department sources disclosed that there were many unrecorded arrests, property seizures or deaths because of the action which foreign authorities had taken against Thai trawlers operating in their territorial waters.

Vietnam, Kampuchea, Malaysia, Indonesia, Burma, and India have jailed the crews of Thai boats which intruded into their waters, a Foreign Ministry official said.

The crewmen invariably claim that the intrusion was unintentional. They say that as there are no demarcation lines at sea, it is difficult for them to tell when they may have crossed into territorial waters. This is despite most deep-sea trawlers carrying expensive navigating equipment.

Nonetheless, there have been several cases where the trespassing appears to have been intentional. Most intruders seem to realise that they will be punished for intruding foreign waters. But neither the risk of death nor a long term in a foreign jail seems to deter them from trawling in foreign waters.

One reason is the problem of depleting marine resources in Thai waters — and a major contributing factor behind the destruction of the marine environment is pollution. Capt Sawang said that there are more than 1,800 factories operating along the Chao Phya River from

Ayutthaya to Samut Prakan — all dumping their waste in the river. The waste flows into the Gulf of Thailand and the result is a marine environment as barren as a desert.

INCOMPARABLE

According to a group of fishermen in Rayong Province fishing in foreign waters is a favourable risk. The income they can get between fishing in Thai waters and foreign waters is incomparable. They said that fishing in Thai waters would earn them about 300,000 baht a trip while a similar excursion into foreign waters could earn them up to two million baht.

In Vietnamese national waters Thai trawlers seem to get a better deal. The Thai fishermen know the Vietnamese need to buy some food such as rice or even steel and gas. So there is a compromise. The Thais sell them smuggled products in exchange for right to fish temporarily in their waters.

"This has been going on for a long time, and the Thai coastal authorities are aware of it," Capt Sawang said.

"The matter concerns us for national security reasons and effective control needed to be taken.

" However, it's difficult for the time being to keep an eye on everything happening in foreign waters, especially when we have a limited number of patrol boats to guard our national waters," Capt Sawang said.

Another matter concerns the introduction of 200-mile exclusive economic zones (EEZ). Neighbouring states' claims on the EEZ reversed some areas in the South China Sea, Andaman Sea, and the Indian Ocean —which were once identified as international waters — to the areas under exclusive rights of coastal states to exercise their jurisdiction over resource exploitation.

The problem is that EEZs do not benefit the Thais. Thailand's geographical position — with its maritime border next to other coastal states — makes it impossible to extend an economic zone to 200 miles either in the East where the widest part of the Gulf of Thailand is only 120 nautical miles, or in the Andaman Sea of the West where the width of the coast can be extended to only 160 nautical miles at most owing to Burmese territorial claims.

However, Thailand announced an extension of its economic zone to 200 miles in February, 1981; ever since the new law become applicable to the Thais.

An expert in international law at Chulalongkorn University Dr Niphan Jittasombat said that EEZ claims by Thailand, Vietnam, and Kampuchea in the South China Sea overlap and the issues have not been settled.

In the case of overlapping claims, the new law of the sea provided that the EEZ may be divided equally through agreement between the countries concerned, he said.

The effect of economic zones are various. It accounts for Thailand's loss of about 300,000-square miles of fishing areas — lying off the coasts of Vietnam, Kampuchea, Burma, and Malaysia — where the area used to provide 40% of the country's catches which contributed to more than 4 billion baht to the country's annual income.

Recent figures show the country's marine products in the last three years has been decreased from 2.3 to 1.9 million metric tons worth 10 billion baht. The decrease has consequently effected a slump in export value of marine products to six billion baht during that period.

Another obvious effect, as Capt Sawang said, is the breach of regulation on 3,000 metre off-shore limits for fishing in the Gulf. As EEZ claims have been enforced, a number of Thai trawlers turned to fish inshore where small fish live.

"And if our fishermen still illegally use dynamite or very fine mesh nets in fishing, the fish we have in the Gulf will deplete in the next few years," he said.

So what is the solution?

The Government is implementing a plan for fishery development to promote inland fishery and fish breeding in villages, schools, temples, and rice paddies.

The Department of Fisheries is also considering the introduction of flushing fisheries to help increase fish in the rivers.

With the assistance of the Tokyo Rayon Company about four million fingerlings will be dumped in the source of the rivers at Phichit Province tomorrow. In this way, fish will spread out into rivers and klongs, Capt Sawang said.

As for deep water fisheries, the Government should push to reach a joint fisheries agreement with our neighbouring countries to operate fishing in the form of joint ventures. So far Thailand has had joint fishery pacts with a number of countries like China, Oman, and Malaysia while a joint agreement with India is expected sometime this year.

Dr Niphan also suggested a joint agreement among ASEAN countries to share natural resource exploitation in member countries' economic zones. This can be done in various forms, joint ventures with profit sharing, or an application of preferential rights for member countries' vessels to fish in one another's economic zones, he said.

Once inland fisheries are better developed and fishery agreements with neighbouring countries can be negotiated, our fishermen may have a better choice than adventuring in foreign waters.

CSO: 5200/4301

COMMITTEES WORK TO COUNTER OIL SPILLS IN LOCAL WATERS

Nassau THE TRIBUNE in English 24 Sep 82 p 11

[Text] THE BAHAMAS was among other members of the International Maritime Organization (IMO) that celebrated World Maritime Day Thursday under the theme of "Global Co-operation for the prevention and Control of Marine Pollution from Ships."

In an observance of World Maritime Day, the Minister of Transport, Phillip Bethel, issued a press release in which he said that the Bahamas was "very concerned" about the pollution of our waters caused by oil and other pollution caused by dumping garbage in our waters.

"Here in the Bahamas we are not only concerned about pollution of our waters caused by oil, but being a well-known tourist destination, Tourism being our main industry, we are also concerned about pollution by the dumping of garbage into our waters," Mr Bethel said.

Mr Bethel said that this year the Boat Safety Committee has launched a clean-up campaign for the water fronts and the beaches. And he said that an Oil Spill Contingency Planning Committee had already been formed.

"It would appear," said Mr Bethel, "that our average Bahamian is not aware that to toss cans and other items into our waters is an illegal act for which they can be prosecuted, if caught," he said.

Mr Bethel also said that, the Ministry, in its campaign to promote the Bahamas as a reputable ship registration centre, through its Maritime Affairs Division, is involved in the workings of the International Maritime Organization.

"With the number of tankers registered under the Bahamas flag to date, it is important that we keep abreast of the many conventions, Resolutions and Protocols that may come into effect from time to time," Mr Bethel said.

Mr Bethel said that as Minister responsible for Maritime Affairs he feels the theme for this World Maritime Day was fitting.

"When one considers the tanker traffic in our waters transporting oil and related products to and from Borco and Burmah Oil terminals in Freeport, the Clifton Pier facility in Nassau and indeed those tankers that pass through the shipping lanes on their way to other foreign ports -- pollution is very real," Mr Bethel said.

Mr Bethel said that so far the Bahamas has been lucky because apart from the intermittent oil slicks, we have had no major spills.

"The occasion of World Maritime Day gives us the opportunity to reflect and restate our goals. It is the Ministry's pledge that in spite of our limited financial resources we intend to do all we can through "Global Co-operation" to prevent and control marine pollution from ships in Bahamian and international waters," he said.

CSO: 5200/7504

ACTION PLAN DRAWN UP TO PROTECT OUR SEA RESOURCES

Victoria NATION in English 1 Oct 82 pp 2, 10

[Text] A FAR-REACHING action plan to develop and protect the sea and coast resources of the East African region was agreed on yesterday at the end of a week-long meeting in Seychelles.

The draft plan is expected to be formally adopted by the eight countries of the region next year, and the Seychelles Government has offered to host the final meeting.

The offer was made by Planning and Development Minister Dr. Maximes Ferrari in his closing speech to the regional workshop sponsored by the United Nations Environment Programme (UNEP) at the Reef Hotel.

Dr. Ferrari said he was delighted to see the draft action plan approved since it provided the right kind of framework for the region's governments to work together in defence of the environment.

Seychelles felt that environmental assessment was particularly important, not only for itself but for the whole region, and was pleased to see that the plan laid so much stress on this point.

Unless the nations of the region carried out studies to provide a basis of facts for improved management of the environment, they risked wasting precious resources on projects that had been badly drawn up, Dr. Ferrari added.

He thanked UNEP, and especially its Regional Seas Programme, for their help in bringing together the countries that will carry out the East African action plan.

Together they would achieve far more in marine and coastal protection and development of the region than would have been possible as inividual states.

In a short closing address Dr. Stjepan Keckes, Director of the Regional Seas Programme, thanked the Seychelles Government for hosting what was such an important meeting.

UNEP, he said, was committed to helping the countries of the region carry out the difficult task they had set themselves in the wise management of their marine and coastal resources.

The main components of the action plan are:

- Environmental assessment so as to gain a better understanding of the complex links between development and the environment. This will include pooling research findings in the region, training marine scientists, setting up "regional activity centres" for specific studies and drawing up a list of pollution sources.

- Environmental management for a sound national development that does not destroy resources. Among the mesures on which the regional states will co-operate are preparing for pollution emergencies, drawing up guidelines for controlling domestic, agricultural and industrial wastes, and the management of wildlife and natural habitats.

- Environmental legislation, not only in the strengthening of national laws but in drawing up a regional convention for the protection and development of the sea and coast environment of the East African region.

--Institutional and financial arrangements, which will include the setting up of a small central co-ordination unit to oversee the carrying out of the action plan. Financial aid may come from the United Nations at first but the countries involved should eventually finance the action plan themselves.

--Supporting measures, including training programmes for staff who will carry out the plan, publicity campaigns to create public awareness of the issues at stake and education in schools on the principles of protection and development of marine resources.

Dr. Ferrari also mentioned two important international conservation meetings that will be held in Seychelles next year.

The Indian Ocean Alliance of some 20 ocean states, which was born as a result of a meeting on Mahe in 1980, will convene here with the resoruces of the Antarctic as a key theme.

And following a decision at this year's International Whaling Commission meeting, Seychelles will host a conference to discuss alternative uses of whales, in particular for science and tourism, which do not involve killing these animals.

Countries attending the workshop were Comoros, Madagascar, Mauritius, Seychelles, Somalia and Tanzania. Kenya and Mozambique sent their written approval of the draft action plan.

CSO: 5200/3

SWEDISH FISHERMEN ANGRY AT NORWAY FOR WARNING SHOTS IN ZONE

Stockholm DAGENS NYHETER in Swedish 4 Sep 82 p 11

[Article by Per Sjogren]

[Text] Sodertalje, Friday--Norwegians and civil servants were two groups targeted when the National Association of Professional Fishermen held its annual meeting in Sodertalje on Friday. Minister of Agriculture Anders Dahlgren was there and tried to calm the critics.

The criticism of Norway was based chiefly on an incident that occurred last summer when two Swedish fishing boats in the Norwegian economic zone were stopped by warning shots and taken into port, where their crews received heavy fines. Their offense consisted of not having their radio tuned to the prescribed channel.

The association's chairman, Jens Eriksson, who is also a member of Parliament from Galto, said: "The dangers involved in the job itself are not enough--now we are in danger of being shot at if we enter another country's territory. We need to know clearly whether it is an offense to be in the Norwegian economic zone."

The minister of agriculture agreed that the Norwegian Coast Guard had overreacted.

Dahlgren said: "Neighbors should not shoot at each other."

Others added that Norwegian authorities seem to be hopeless when it comes to negotiating larger quotas for Sweden's west coast fishermen in Norwegian waters.

Price Dumping

One participant in the annual meeting said that civil servants have long and pleasant vacations and that some of them arrange their vacations so they can be free during the best fishing times. Then they go out fishing with professional equipment, not to meet their own needs but to sell their catch, thus undercutting professional fishermen.

According to Eric B. Lundberg, the representative in Harmanger, Angermanland, it is more likely that the people involved are former professional fishermen who have given up their trade but kept their equipment and still fish in that way. It just sounds more dashing to talk about civil servants.

Boundary Issue

The unresolved boundary issue in the Baltic Sea was quite naturally on the agenda. It involves the dispute between Sweden and the Soviet Union over an area of 13,500 square kilometers east of Gotland. At present, any country can fish there, and it was said that the area will soon be fished out. It would be better if the area were designated a gray zone open only to Swedish and Soviet fishermen.

The government was previously considering making concessions to the Soviet Union, but at this meeting--and with the elections drawing near--the minister of agriculture gave assurances that the government would not yield a single nautical mile.

In round numbers, there are currently about 4,000 professional fishermen, and fishing brings in about 500 million kronor per year. A major internal problem is the marketing and distribution of fish. The organization that handles those matters dates from the mid-1930's, and it is too cumbersome today. A new organization known as Swefisk has existed for the past year, but 17 cooperative and private purchasers of landed fish do not participate, and the system is not working well.

Chairman Jens Eriksson said: "If Swefisk is not going to work, we will have to find something else."

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18 November 1982

Worldwide Report

LAW OF THE SEA

No. 213

JOINT PUBLICATIONS RESEARCH SERVICE
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LAW OF THE SEA

No. 213

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BRIEFS

SOVIET COCOS ISLANDS INCIDENT--THE Federal Government has lodged a protest with the Soviet embassy in Canberra over the behavior of the captain of a Russian research vessel. The vessel, Antaris, called at the Cocos Islands, an Australian-administered group of 27 atolls in the central Indian Ocean, late last month. The captain told local officials the Antaris had engine trouble and he wanted to carry out repairs. The officials directed the captain repeatedly to a safe anchorage on South Keeling Island. The captain refused and moored his ship on North Keeling Island. Both islands are part of the Cocos group. A spokesman for the Department of Foreign Affairs in Canberra said yesterday the Government was concerned over the captain's defiant action and the incident had been taken up with the Soviet embassy. The Minister for Home Affairs and the Environment, Mr McVeigh, confirmed last week that Cabinet had discussed sightings of Soviet submarines in the area. The Cocos Islands, which will become an overseas territory of Australia next year after a UN supervised act of self determination for the 320 Cocos Malays, have great strategic significance fot the Western alliance. The airstrip on West Island is used by the RAAF as a staging base for reconnaissance flights in the central Indian Ocean and by the US Air Force staging through to Diego Garcia. [Canberra THE AUSTRALIAN in English 22 Sep 82 p 3]

FISHING PACT WITH THAILAND--BANGKOK, Wednesday--Captains of Thai fishing trawlers and their crews are being instructed in international law and codes of seagoing behaviour before they begin fishing in Australian waters. The Royal Thai Navy is conducting the courses, the managing director of a Thai-Australian fishing company, Mr Graeme Mathieson, said today. He said his company, Coldstream International Corporation Ltd, hoped to begin trawling in the Arafura Sea in the next few weeks. Authorities in Queensland, Western Australia and the Northern Territory had approved, and authorisation from Canberra was expected any day now. Mr Mathieson said his agreement with the Australian authorities was a normal one for this type of operation, giving his fleet an annual catch quota worth perhaps nearly $20 million. All the catch would be landed in Australia and sold there. Australian officials indicated earlier that the project envisaged landing only a small proportion of the catch, with the bulk being shipped directly to a number of Asian countries for processing. Mr Mathieson said all the catch would be sold in Darwin, where there was adequate cold storage. Some would be exported, but all would go out as an Australian export. There were plans later for a cannery in Darwin. Ultimately his company, which was 51 per cent Thai and the remainder mainly Australian, would invest about $4 million in the project. Initially 30 Thai trawlers flying both the Thai and Australian flags would be fishing. [Neil Kelly] [Sydney THE SYDNEY MORNING HERALD in English 23 Sep 82 p 10]

CSO: 5200/7506

FISHING AGREEMENT WITH JAPAN--Australia and Japan have reached agreement on longline tuna fishing in Australian waters for another 12 months. Minister for Primary Industry Nixon says the agreement is still subject to formal approval but is expected to come into effect on 1 November. Nixon says under the new agreement, Japan has confirmed that Australian cod tuna can be sold in the Japanese market. He says that to avoid problems with Australian fishermen, an area off the north coast of New South Wales has been closed to Japanese boats. The minister said in return for access to areas in the Australian fishing zone, the Japanese had agreed to share any international control restrictions on tuna catchers and to take account of recent expansion of the Australian industry. [Text] [BK141333 Melbourne Overseas Service in English 0830 GMT 13 Oct 82]

CSO: 5200/4302

SEA SAFETY PACT SIGNED WITH JAPAN

Manila BULLETIN TODAY in English 30 Oct 82 p 23

[Text]

The safety of shipping lanes transitting between the Philippines and Japan was further enhanced this week with the conclusion of the first bilateral conference between the Philippine Coast Guard and the Japanese Maritime Safety Agency.

With Minister Nagao Hyodo and a representative from the local Ministry of Foreign Affairs as witnesses, top officers of the two coast guard units signed an agreement enumerating the areas where they intend to take joint or complementary actions.

Vice Admiral Shinji Nakajima and Commodore Brillante C. Ochoco called their agreement "guidelines for cooperative efforts between the Philippine Coast Guard and the Japanese Maritime Safety Agency."

The pact specifically mentions maritime safety, search and rescue, marine environmental protection, aids to navigation, training, exercises, and international (SOLAS) conventions as their areas of mutual concern.

Like the previous PCG-US Coast Guard agreement, the present pact also provided for an annual review of their actions "to promote harmonious relations between the two agencies, facilitate solutions to common problems, and contribute to professional development."

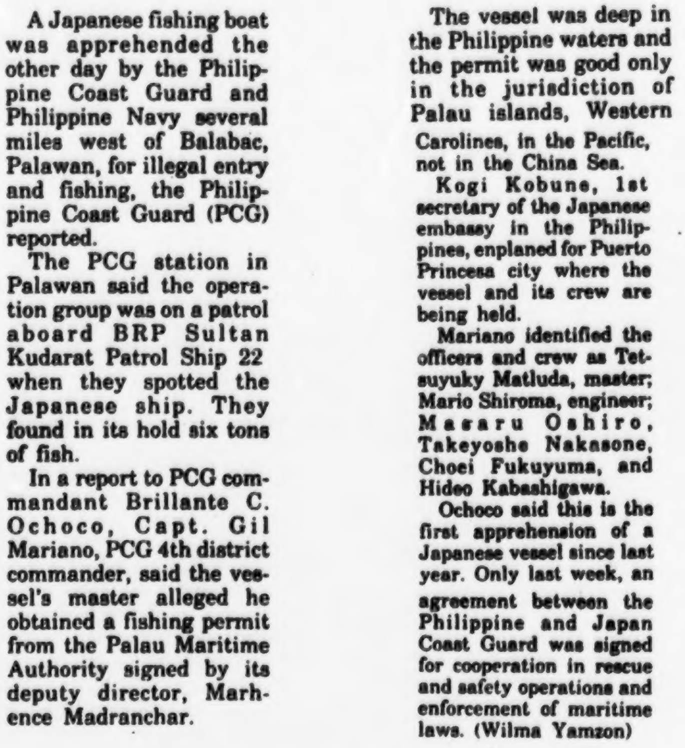
CSO: 5200/4303

JAPANESE BOAT HELD FOR ILLEGAL FISHING

Manila BULLETIN TODAY in English 1 Nov 82 pp 1, 9

[Article by Wilma Yamzon]

[Text]



A Japanese fishing boat was apprehended the other day by the Philippine Coast Guard and Philippine Navy several miles west of Balabac, Palawan, for illegal entry and fishing, the Philippine Coast Guard (PCG) reported.

The PCG station in Palawan said the operation group was on a patrol aboard BRP Sultan Kudarat Patrol Ship 22 when they spotted the Japanese ship. They found in its hold six tons of fish.

In a report to PCG commandant Brillante C. Ochoco, Capt. Gil Mariano, PCG 4th district commander, said the vessel's master alleged he obtained a fishing permit from the Palau Maritime Authority signed by its deputy director, Marhence Madranchar.

The vessel was deep in the Philippine waters and the permit was good only in the jurisdiction of Palau islands, Western Carolines, in the Pacific, not in the China Sea.

Kogi Kobune, 1st secretary of the Japanese embassy in the Philippines, enplaned for Puerto Princesa city where the vessel and its crew are being held.

Mariano identified the officers and crew as Tetsuyuky Matluda, master; Mario Shiroma, engineer; Masaru Oshiro, Takeyoshe Nakasone, Choei Fukuyuma, and Hideo Kabashigawa.

Ochoco said this is the first apprehension of a Japanese vessel since last year. Only last week, an agreement between the Philippine and Japan Coast Guard was signed for cooperation in rescue and safety operations and enforcement of maritime laws. (Wilma Yamzon)

CSO: 5200/4303

BRIEFS

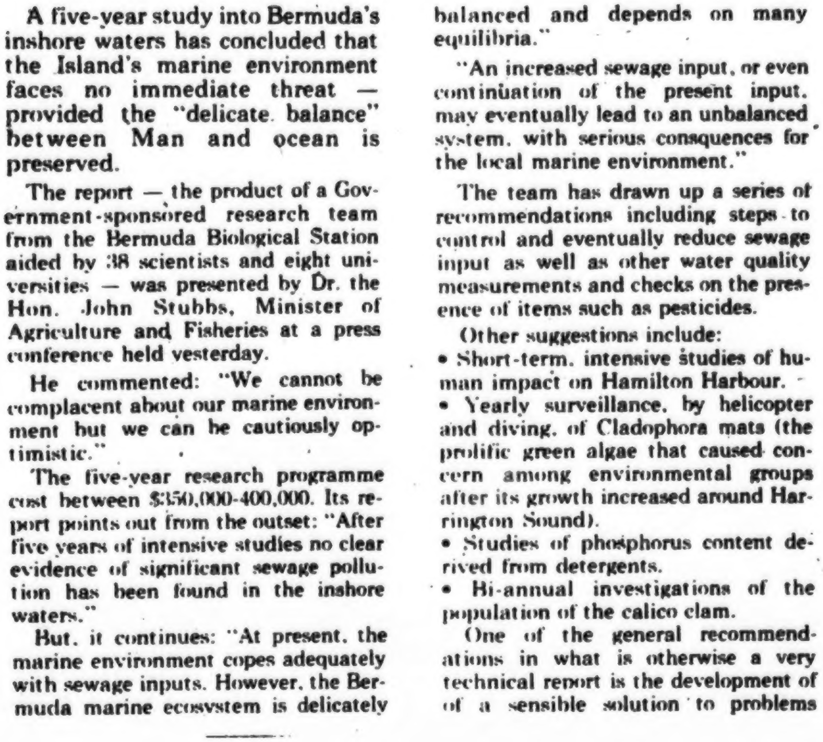
FISH CATCH RISES--The output of Argentina's fishing industry rose 60 percent during the first half of this year as compared to the same period of 1981, the maritime interests secretariat announced yesterday. The total catch during the first six months of this year was 223,000 tons, and the official report stresses that the production increased despite "operational difficulties" in the sector as a result of the south Atlantic conflict with Britain. [Text] [PY122353 Buenos Aires BUENOS AIRES HERALD in English 12 Oct 82 [page not given] PY]

CSO: 5200/2001

MARINE ENVIRONMENT STUDY COMPLETED, OFFERS PROPOSALS

Hamilton ROYAL GAZETTE in English 8 Oct 82 p 3

[Text]



A five-year study into Bermuda's inshore waters has concluded that the Island's marine environment faces no immediate threat — provided the "delicate balance" between Man and ocean is preserved.

The report — the product of a Government-sponsored research team from the Bermuda Biological Station aided by 38 scientists and eight universities — was presented by Dr. the Hon. John Stubbs, Minister of Agriculture and Fisheries at a press conference held yesterday.

He commented: "We cannot be complacent about our marine environment but we can be cautiously optimistic."

The five-year research programme cost between $350,000-400,000. Its report points out from the outset: "After five years of intensive studies no clear evidence of significant sewage pollution has been found in the inshore waters."

But, it continues: "At present, the marine environment copes adequately with sewage inputs. However, the Bermuda marine ecosystem is delicately balanced and depends on many equilibria."

"An increased sewage input, or even continuation of the present input, may eventually lead to an unbalanced system, with serious consquences for the local marine environment."

The team has drawn up a series of recommendations including steps to control and eventually reduce sewage input as well as other water quality measurements and checks on the presence of items such as pesticides.

Other suggestions include:

- Short-term, intensive studies of human impact on Hamilton Harbour.
- Yearly surveillance, by helicopter and diving, of Cladophora mats (the prolific green algae that caused concern among environmental groups after its growth increased around Harrington Sound).
- Studies of phosphorus content derived from detergents.
- Bi-annual investigations of the population of the calico clam.

One of the general recommendations in what is otherwise a very technical report is the development of of a sensible solution to problems caused by the airport dump and also a feasibility study on the possibility of replacing cesspits with small sewage treatment units.

Dr. Stubbs, accompanied by Agriculture and Fisheries Director Dr. Idwal Hughes, said Government was weighing up the various suggestions. He pointed out that several of the recommendations, including the various studies, were already on line.

Mr. Timothy Jickells, an organic chemist who helped draw up the report, also said that the detergent issue had been eased already by the use of "softer" detergents which had helped reduce phosphorus build-up.

The study also pinpoints why Hamilton Harbour appears green at times. The colour change stems from seasonal phytoplankton blooms that seem to favour the harbour.

The report calls for a coral reef study using the site where the vessel Mari Boeing grounded. Blasting there in 1979 to make a clear tow path for the hull damaged a nearby reef and has presented scientists with an "invaluable" opportunity to see how damaged Bermuda reefs re-establish themselves.

CSO: 5200/7507

LOS DIPLOMAT ON RELATIONS WITH VENEZUELA

Bogota EL TIEMPO in Spanish 4 Oct 82 p 14-B

[Text] The small Los Monjes islands make neither a continental shelf nor an exclusive economic zone because the new international law establishes it that way, said the chief of the Colombian delegation to the UN Conference on the Sea, Hector Charry Samper.

In explaining the reaches of the UN Convention of the Sea, Charry said that it is the first time that maritime law, which previously was dictated by the great powers, is going to be determined by the UN members.

In this way, he emphasized, the countries of Latin America have made an important contribution to this new law of the sea, or international law: they were the first to establish the 200-mile limit as a national economic zone, one of the fundamental clauses in the convention.

In statements on the program, "Five Reporters and the Personality of the Week" from Caracol, the Colombian diplomat commented that the other consequence of the new agreement is that new maritime dimensions have appeared: no longer is this just a medium for navigation with fishing resources, but due to techno-scientific advances, the possibility of marine mining is coming into play with multinational enterprises which are now commercially exploiting those resources.

Moreover, the bases and criteria have been set for delimiting marine and submarine areas in all cases concerning states with adjacent or opposing shorelines, and a special court is being established, the International Court of the Sea, which is going to replace the International Court of Justice in these matters and which is going to take up delimitation problems and litigation.

Asked if the new agreement would restrict the law concerning keys in all seas and if, in the case of Venezuela with the Los Monjes, would it change all the ground rules in relation to the differences with Colombia, Charry Samper said: "The Convention of the Sea establishes criteria for the delimitation of the different marine spaces. In the first place, coastal spaces have an exclusive economic zone up to 200 miles and beyond those 200 the zone is referred to as 'common heritage of mankind.' This means there will be no exploitation of the resources of the sea outside that authority without permission of the court which is being set up in Jamaica for exploitation of polymetallic moduli and the wealth of the sea. But, it also means delimiting between states with adjacent or opposing coasts. It is entirely a natural phenomenon, not a desire or a claim by a neighbor. According to the convention, it is an obligation of states to delimit their areas."

The Colombian ambassador insisted that delimitation is an obligation, because if the countries with adjacent or opposing coasts do not do it, the authority will not be able to come in to make use of the common heritage of mankind for the benefit of the people.

He reaffirmed that the continental shelf is an important matter which establishes a system of delimitation. "Territorial waters extend to 12 miles and, in the case of delimitation between states with adjacent or opposing coastlines, the average line is applied--a thesis to which Colombia has been traditionally linked."

--Whomsoever does not subscribe to the new convention is not obliged to fulfill it. Then, what is going to happen with Venezuela?

"It is an internal decision about which I do not express an opinion and which I deeply respect. International law has established bases which are fundamental and which obligates them oftimes, even when states do not sign conventions. An international law does exist which cannot be ignored by anyone."

--Whom does the convention most favor, Colombia or Venezuela?

"It seems to me that here are the facts. This is a convention with some precise rules that express the will of the international community. Colombia has already acknowledged it, that which leans towards constitutional processes and we put ourselves in the hands of international law."

--Does the Convention of the Sea establish a certain time limit for delimiting areas?

"No. No time limit is fixed, but the convention does establish some rules about what should be done when there is a controversy if no agreement has been reached.

It states that when an agreement has not been reached neither of the two parties can do anything that would jeopardize the final negotiation, or that could mean unilateral exploitation of the resources of the area in question."

Finally, Hector Charry characterized himself as a "thoughtful supporter" of Colombia's entry into the Movement of the Non-Alined Countries and he said that the government of President Belisario Betancur may have opened the door for this entry which, he said, will permit strengthening our negotiating power to defend our interests.

9908
CSO: 5200/2000

SHEARER CALLS FOR RATIFICATION OF LAW OF THE SEA

FL111930 Kingston DAILY GLEANER in English 8 Oct 82 pp 1, 20

[Excerpts] Foreign Minister the Rt. Hon Hugh Shearer yesterday called for early ratification by member states of the Law of the Sea Convention as he delivered Jamaica's major policy address before the United Nations General Assembly in New York.

He also expressed the hope that no country or group of countries would engage in action or adopt measures that would undermine the convention.

The deputy prime minister said that Jamaica has a great sense of pride at having been selected as the site of the international seabed authority, the preparatory commission and the ceremony for the signing of the convention.

He said that it is essential that, consistent with the programme and objectives of the preparatory commission, adequate provision be made for its effective functioning.

Mr Shearer said: "We exhort all states to sign and ratify the convention as quickly as possible, so that it will enter into force in the shortest possible time. An early entry into force of the convention can only operate to the advantage of all countries, developed and developing, particularly where it deals with the regime for the exploration and exploitation of the deep seabed.

"We would not wish anyone to be left in doubt as to our view that activities in the international seabed area can only take place lawfully within the framework established by the convention. We hope that no country or group of countries will engage in action or adopt measures whose effect will be to undermine the convention." [passage omitted]

He said that Jamaica was disappointed that the recent second special session of the General Assembly devoted to disarmament failed to achieve any significant results, particularly regarding a comprehensive programme of disarmament.

Turning to economic issues, Mr Shearer said that Jamaica's analysis of the global economy has highlighted the need for immediate action. If the world is to avert the collapse of the international system.

"We are all agreed on the necessity to achieve a rate of economic growth consistent with the aspirations of our peoples and the requirements for achieving international peace and security," he said.

"In seeking to fulfill these objectives, we must make a special appeal to the developed countries to desist from the application of protectionist trade policies," he said.

Mr Shearer said that these policies, based on the experience of the 1930's, have shown that measures to protect sectors in economies that have lost their competitive edge in the international market place are self-defeating:

"They have only to contract international purchasing power and generate unemployment in their own economies as well as in the economies of the developing world that provide markets for their exports."

Mr Shearer said that Jamaica is firm in the view that it is the market-place and the work-place of the developing world which holds the best solution for reflation without inflation:

"The unsatisfied and growing demands of the consumer market; the unsatisfied and growing capabilities of the work force of a growing number of developing countries need only the catalyst of expanded credit resources to fuel an expansion of trade through exported growth."

He said that Jamaica commended for the consideration of the General Assembly the essential features of Prime Minister Edward Seaga's presentation on the subject at the recent joint meeting of the World Bank and the International Monetary Fund in Toronto, Canada.

Mr Shearer said that the proposed global round of negotiations, which has been under consideration for the past three years, must now be recognized as offering the best prospect of bringing about the changes required to establish an economic system which can fulfill "the aspirations of our time."

CSO: 5200/2002

JAMAICA REPORTS PREPARATIONS FOR ISA OFFICES

Bridgetown CANA in English 2044 GMT 30 Oct 82

[Text] Kingston, Jamaica, 30 Oct (CANA)—Jamaica's preparations to host the headquarters of the International Seabed Authority (ISA) as well as the signing in early December of the Law of Sea Convention, have received full approval from a United Nations review mission that visited the island recently, a statement from the Foreign Ministry here has said.

The island was earlier this year selected as the site for the ISA headquarters, the body that will over see the implementation of the convention, and a temporary headquarters is being built on the Kingston waterfront.

The building is expected to be completely ready in time for the first meeting of the ISA Preparatory Commission next March.

Additionally, Jamaica was recently named the venue for the signing of the treaty after Venezuela withdrew.

The Foreign Ministry said that a seven-member mission from the United Nations Conference on the Law of the SEA (UNCLOS) was here between 18 and 23 October, visiting the temporary headquarters building and holding talks with government officials and agencies which are responsible for its completion on time and the smooth functioning of the facility.

The mission also reviewed planning for the signing session of the Law of the Sea Convention in the northwestern city of Montego Bay, and on both counts were satisfied, the Foreign Ministry said.

CSO: 5200/2000

SPANISH FISHERMEN PROTEST FRENCH POLICY IN BAY OF BISCAY

Madrid EL PAIS in Spanish 16 Oct 82 p 42

[Article by Ignacio Alonso]

[Text] Shipowners of Spanish fishing boats accuse the French minister of Maritime Affairs Louis Le Pensec, of demagogic practices, and they make the accusation that the French fishing policy is directed toward delaying the admission of Spain into the EEC and reducing the strength of our fleet in European waters, which would make easier the massive penetration of Gallic products into the peninsular market

The French minister of Maritime Affairs, Louis Le Pensec, threatened at the beginning of the month in Luxemburg to reject any fishing agreement between Spain and the EEC for 1983 if guarantees were not obtained that the Spanish vessels will respect community regulations and will give up unauthorized fishing in the Bay of Biscay.

The Spanish reply, through the Spanish Federation of Shipowners of Fishing Boats and the Association of Shipowners of Pasajes, was not long in coming. The Spanish federation accuses Le Pensec of wanting to hide with his words the French intention of reducing the strength of the Spanish fleet to the advantage of his own fleet, and to introduce their produce easily in our market which is eager for marine products. The shipowners of Pasajes are protesting because of the effort made to adapt their fleet to the licenses that the EEC is offering and because of the lack of respect toward their wishes. "We believe," they say in a letter remitted to Louis Le Pensec, "that the measure announced by the French Government does not value the considerable effort made by the shipowning sector of this port of Pasajes, and we hope that they will consider our situation."

The Federation of Shipowners goes further, and not only does it directly reject the accusation that the Spanish vessels do not respect community regulations, but it also transfers the accusation of unauthorized fishing to the French fleet itself. The shipowners believe that the opportunities for breaking the EEC's fishing regulations are minimal, and they describe in detail that a Spanish vessel, in the case of transgressing the EEC's rules, is punished twice, because first a fine is imposed on it and afterwards the community itself withdraws its fishing license from it.

On the list of community contradictions, the shipowners assert that the Spanish fishing vessel "Martimuno Segundo" had its right to a community license suspended for 12 months on the claim that it was seen and photographed fishing in community waters last 20 February. And on that date the boat was moored in the port of Pasajes.

Behind the statements of the French minister, the shipowners understand that there is hidden the intention to limit, at the next negotiation of the fishing agreements between Spain and the EEC (which begins next month), the number of boulter vessels, the skill of selective fishing toward which many Spanish trawlers evolved in recent years. The aim in all cases is the same: to increase the power of the French fleet and to easily introduce fish in the Spanish market. At the present time, the number of community licenses has reached 128.

Confrontations in Galicia

Directors of the Association of Shipowners of the Galician trawler fleet were studying at the last minute on Wednesday night the possibility of revoking the announced mooring of the 160 vessels that are operating with this type of fishing in Galicia, after participating in a meeting called by the Fishing Council of Xunta, which was also attended by representatives of the boulter method fleet. Trawler and boulter fishermen maintain a confrontational attitude about the opportuneness of a ministerial order of last February, by which the prohibition on boulter fishing on the Galician continental platform, which is only 17 miles wide, was extended to depths less than 200 meters, reports ANXEL VENCE.

Moreover, the Catalonian fishermen will respect the agreements signed with the Basques on tuna fishing, as has been announced by the fishing director of the Basque government, Miguel Muruaga, regarding the conflict that has arisen because of the presence of the Basque fleet in Mediterranean waters.

The above mentioned agreement establishes that the Basque fleet will engage in tuna fishing in those waters under the standards and rules for fishing of those associations. This agreement was contested by some associations in the Mediterranean, which provoked the government fishing authorities into sending telegrams to the parties in conflict, ordering them to allow the Basque fleet to fish provided that it complies with the agreement [illegible] all its conditions.

The Spanish fishing boats "Maflor", "Mariscos Rodriguez 1" and "Virgen de la Palma", seized last week by Portuguese patrol motor launches, returned to Isla Cristina after paying 170,000 pesetas for each boat as a fine for fishing in waters too close to the coast of Portugal.

The six Spanish fishing boats seized by Morocco last week are presently in the military zone of the port of Casablanca.

9545
CSO: 5200/2503

COMMENTATOR RECOMMENDS GOVERNMENT NOT SIGN LOS TREATY

Frankfurt/Main FRANKFURTHER ALLGEMEINE in German 11 Sep 82 p 13

[Article by Klaus Broichhausen: "The Dispute Over the Riches of the Sea"]

> [Text] The International Law of the Sea Conference, a mammoth undertaking of 160 countries, was the most expensive and longest conference of the United Nations. After its close it is completely unclear what will become of the new Law of the Sea Convention which the conference adopted in the spring and which will be presented for formal signing after the end of the year. No one knows what the paper, described as having 320 articles, 9 annexes and 5 resolutions, is worth as the result of 9 years of conferences. President Reagan has already pushed it aside as unusable. The Federal Government still does not know what to decide. Developing countries increasingly notice that the convention, forced through with a Third World majority, was a wild goose chase for them, for only a few developing countries can derive any benefits from it.

If so many questions are touched upon in a conference, it cannot be only a matter for experts on the law of the sea. The new convention concerns everyone. In particular it does not concentrate, like the regime currently in force, on pure law of the sea matters, but spills over into a comprehensive regime of the law and exploitation of the seas. This significance of the marathon conference was for years not perceived, either by the public at large or by the political leadership in Bonn. In the interior of Germany far too little attention was paid to how important it is for the Federal Republic, as an industrial state which depends on foreign trade and does not have enough of its own raw materials and energy, to be able economically to exploit the seas responsibly but with as much freedom as possible.

The exploitation of the sea is to be regulated anew from the legal, political, economic, ecological and strategic standpoints through the supplementary law of the Law of the Sea Convention. It involves the redistribution of the exploitation rights to 70 percent of the earth's surface. With all its reserves of food, energy, and raw materials, the sea is again divided among the community of states. The title "Law of the Sea Convention" does not do justice to this global precedent. It is really much more of a world economic convention for the seas. In addition to economic and transportation policy, the raw materials and technology policies are especially covered, along with security and foreign policy. Since security interests are as much at stake as the economic interests of the Federal Republic, the Federal Government since the beginning of the conference has had to be particularly alert with the partners in the alliance lest the naval radius of defense be cut by the convention.

One question after another has been raised since the work was done in expert circles and in the conference hall to develop the narrowly defined law of the sea into a comprehensive legal system for navigation, fishing, oceanography, environmental protection, and for the deep seabed mining due to begin in the middle of the 1990's. Does the German merchant fleet, as an important service branch of a strongly export-oriented and import-dependent country, have enough space and loading possibilities in international transportation? Will we also in the future be supplied with fish at a more or less reasonable price? In the future will all states be able jointly to prevent the pollution of the sea? Can the successful German tradition of oceanographic research be continued? Will it be possible for the Federal Republic, poor in raw materials, to utilize the advanced position it has achieved in marine technology to improve its supply of industrially important nonferrous metals from the deposits at the bottom of the sea? Or is an economically feasible production of these raw materials, which lie in potato-sized manganese nodules on the sea bottom, to be denied to it?

To a part of these questions the text of the convention gives more or less satisfactory answers. This affects international navigation, which, despite a host of possibilities of coastal states to interfere, has been provided adequate freedom of movement. The new law of the sea would grant free navigation even to the navy in all waters outside the zone of sovereignty, which is extended from 3 to 12 nautical miles. Corresponding to the right of passage for merchant and naval navigation, air traffic is to be given unobstructed overflight. For the more than 100 straits in the world, complicated regulations have been detailed which indubitably confer on ships and cargoes of all sorts the right of transit in so-called transit straits. The air space above such straits may be overflown by both civilian and military aircraft.

Along with these regulations in the general law of the sea, which satisfy the requirements of the Federal Republic by and large, that part of the convention devoted to marine environmental protection can also be judged positively. Ships are resolutely prevented from discharging harmful materials and pollutants into the sea. Environmental violators on the ocean are to be heavily fined. The control and prevention methods provided for the protection of the sea are, as a whole, without being diverted into perfectionism, so broad that they should be more effective than the environmental protection on land across frontiers. Another advance in the law of the sea is the fact that in cases of dispute the international arbitration and legal settlement of disputes will gain more binding authority through the new institution of a court of the law of the sea.

The Federal Republic Gets Only a Sliver

For the Federal Republic these are however the only satisfactory results of the Law of the Sea Conference. The Federal Republic experienced its first great disappointment already in the early stage of the conference in the redivision of the seas; for it gets only a sliver of the fish stocks and of the enormous reserves of oil and gas in the sea. The fishing grounds lie 80 percent and the oil deposits 90 percent within the 200-mile zone, over which only the coastal states have the power of disposal. Their jurisdiction is extended even beyond the so-called economic zone and onto the continental shelf, and "mountain ranges" in the middle of the oceans. The sphere of influence of the coastal states is to end finally at a maximum of 350 nautical miles.

It now depends on the good will of the haves whether German high seas fisheries can go out fishing and maintain the fish supply under economic conditions. Even German oceanography--the prerequisite for intelligent exploitation of the sea--is possible in the economic zones only if the coastal states agree. German interests are therefore demonstrably the loser in the embittered distribution battle in the Law of the Sea Conference. Even if the interests of the Federal Republic in this redistribution conference had been more stubbornly and imaginatively defended, the convention would not have looked much more favorable under this heading. As a country with a short coastline the Federal Republic, like other states in a disadvantageous geographic position, could not have been awarded any broad economic zone. The so-called long coastline states and countries with islands on the other hand are by nature the winners of the law of the sea conference. France is an example. Favored by its island colonial possessions, it is awarded 30 times as much sea space. A small group of 10 states with a long coastline has a legal grip on more than 50 percent of all economic zones. "The states with long coastlines," complains the Schleswig-Holstein economics minister Juergen Westphal, "are intolerably favored with their own sea space and their own reserves at the expense of the remaining states, while the other countries over the long run are cut off from the blessings of the sea."

Since the coastal states can claim so much space from their shores, the freedom of the seas, as Hugo Grotius, one of the ancestors of the law of the sea in the 17th Century appreciated, is lost by a nautical mile. When the Law of the Sea Conference distributed sovereignty and exploitation rights too generously to the coastal states, it departed far from its original course, which was wrapped up in the slogan: The sea is the common inheritance of mankind; it belongs to all peoples. Instead it has now been nationalized even beyond the traditional three-mile sovereignty zone. On the ocean the greatest land grab in world history is taking place.

The convention of course is only sanctioning a development which had long been under way. One country after another began to confiscate sea space off its coast and place it under its national jurisdiction. There was nothing left for the Law of the Sea Conference to do but confirm accomplished facts and legally assign to the coastal states what they had already taken for themselves: the economically most valuable and most easily accessible resources of the sea. The new law of the sea can only prevent coastal states from continuing their confiscations of sea space. An amended convention at least justifies the hope, as Federal Foreign Minister Genscher says, that the anarchy which has prevailed for years on world seas will stop. Indisputably legal security must be restored and new conflicts headed off.

On the other hand, buried in the text of the convention itself there is much fuel for conflict, which is already being ignited before the results of the conference have even received the force of law. Thus there is a basis for war over the Falkland Islands in the fact that Great Britain and Argentina both want to keep the oil and gas-bearing economic zone around the miserable island. The exploitation rights falling to the islands reach as far as the mineral-rich Antarctic. The new law of the sea space regime has similarly burdened the Aegean with the potential for conflict. Disputes may also result from the territorial expansion elsewhere, whether in the Caribbean or in the peripheral seas of East Asia.

After the riches off the coasts were distributed through nationalization, the battle for the treasures of the ocean in the rest of the high seas broke out in the final phase of the Law of the Sea Conference. While the water space will remain open sea, the ores detected in the nodules on the sea bottom, whether manganese, nickel, cobalt, or copper, are to be placed by the Law of the Sea Conference under the custody of the United Nations. In this titanic struggle over future deep sea mining, the stake for the Federal Republic is not only the manganese nodules as a welcome reserve of raw material, and not only additional export opportunities for German industry with a new technology for the mining of the nodules. At the same time the market economy as a basis of world economic cooperation is being debated. The majority of the conference, led on by the Third World, wants to throw market economics overboard. The developing countries insist on state-directed experiments in seabed mining, although so many of them have in the meantime accumulated bad experiences in their own countries with planned economy models.

Even The Third World Would Do Better With Private Initiative

The states of the Third World, as has been often demonstrated, develop more rapidly if they are oriented toward the market economy at least in the beginning. They do better with more private and less state initiative. Sea mining, as a great asset of international division of labor, would have to be carried out with as much private economic initiative as possible. It can proceed certainly only within a firm framework of regulations. Within this framework the developing countries must have a chance to participate appropriate to the riches of the sea. The basic capital for this sea mining is nevertheless to come from suppliers of capital the world over, who must regard the prospect as enticing in order to provide the many billions necessary for the economic and technological adventure of deep sea mining. It would be a mistake to assume that this new and unusual task in the interest of mankind can be mastered only by states, organizations of states, and international organizations, at least under the domination of state or supranational authorities. Sea mining needs adequate private, entrepreneurial pioneering spirit and a sufficiently market oriented organization, not as a matter of ideology, but because it is more effective than all planned economy models.

The Third World on the other hand has devised a world raw materials bureaucracy for sea mining. It is to be directed unilaterally by the developing countries. Private initiative has only a marginal role in this so-called "sea regime." As this regime has been negotiated in the Law of the Sea

Conference, the developing countries will hardly derive any benefit from it. It would at the most help a few states in the traditional production of non-ferrous metals. All in all the production of the resources of the ocean would be more hindered than helped. Deep sea bed mining would be delayed and made more expensive, and could perhaps even be crippled.

A series of obstacles have been built into the planned regulation of seabed mining: 1. A superbureaucracy, a sea authority of the United Nations would necessarily make deep sea mining cumbersome. 2. Private initiative would have too little room alongside the sea authority's own mining undertaking (Enterprise). 3. An economically stable development of the international collective enterprise and the private and state mining companies working parallel with it would be made impossible through irrelevant political influence by the authority. 4. The investment risk, which is extraordinarily high in any case, would be even more discouraging through the price and quantity regulations of this model. 5. Seabed mining is artificially to be limited to take into account mining on dry land. 6. The economic feasibility of deep seabed mining will be further jeopardized by the excessively high financial fees which are to be paid by the licensees to the sea authority. Up to now the demands have been so exorbitant that seabed mining cannot compete with mining on dry land. 7. Even the development of modern marine technology could not be amortized, since the marine technology industry is to be forced to turn over to the seabed authority and interested parties of the Third World the most up to date equipment at allegedly commercial, but nevertheless on balance unsuitable prices.

All this involves too much protectionism, bureaucratic high-handedness, legal and economic insecurity and political tumult. Completely new forms of state economic planning are to be introduced into the world economic system through the Law of the Sea Convention. If traditional raw materials production is to be protected by production limitations in seabed mining against competition from new mining areas, in this case on the seabed, it is highly questionable economically and politically. One must also reject a new-style compulsory industry, which provides for delivery of technology at discount prices. The right of ownership in the text of the convention is grossly disregarded with this summons to forced technological transfer. National technical developments are to be socialized internationally. Were all this to become reality for the first time there would be practiced that new "world economic order" which the Third World has been demanding for years at all conferences of the United Nations: a comprehensive planned world economy. This "deep sea regime" would be, as the Schleswig-Holstein Minister of Economics Westphal says, is an historic decision to the extent "that the United Nations would for the first time get an organization at its disposal which would receive supranational management assignments and with the help of its own mining enterprise would also be commercially active--a completely new development."

The Federal Government and all parties in the Bundestag have so far left no doubt that they regard such a bureaucratic-planned economy structure--like an octopus on seabed mining--as a mistake. Recently all the errors were listed in a reply of the Federal Government to a major interpellation of the opposition. Nevertheless there are still advisers in Bonn who recommend the signature of the convention on three grounds: First, the usable part of the law of the sea is so important that the disadvantages in deep seabed mining should be taken into the bargain. Secondly the relationship between the industrial nations and the developing countries should not be further burdened by a crude rejection of the convention. Thirdly the Federal Republic can secure a seat and a voice, and hence influence in the preparatory commission, which makes important prior decisions for future sea mining.

These viewpoints are certain to be taken into account when the arguments for or against accession to the convention are soon to be weighed in Bonn. But in this regard the possibilities of changing the system in the preparatory commission must be considered slight; for the commission, like the plenum of the Law of the Sea Conference, has a majority of the developing countries, so that the Federal Republic and other industrial states disillusioned over the sea regime have practically no influence in it.

The West Cannot Overlook Reagan's Rejection

The key question in the decision on the convention must be: Can Bonn place its signature on a draft treaty which the government and parliament consider unacceptable in essential passages? The American President is logical on this point. He does not sign what he considers to be false. The Federal Government cannot ignore this clear No, since it fully shares Reagan's opinion on deep seabed mining. Bonn must adjust itself to the idea likewise of not signing the convention. Nevertheless there is much in the meantime to discuss with the Western partners, which "at the highest level" and even at the summit have altogether neglected or forgotten the Law of the Sea Conference.

The West should try once again to make a sincere attempt to arrive at a common approach to the question of the seabed mining, and at the same time consult with a Third World on reasonable compromise solutions in intensified contacts. The Third World must be made aware that the Convention on the Law of the Sea will become waste paper if other industrial nations join the United States, the greatest oceanic and industrial power, in refusing to sign.

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Worldwide Report

LAW OF THE SEA

No. 214

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U. S. TUNA BOATS SAID TO 'INVADE' NEW ZEALAND WATERS

Auckland THE NEW ZEALAND HERALD in English 8 Oct 82 p 5

[Text] Press Assn . Wellington

The Government has been accused of allowing United States tuna boats to "invade" the inshore fishing waters off Northland.

Labour's agriculture and fisheries spokesman, the Hon Sir Basil Arthur (Timaru), yesterday lashed out at Government policies which, he said, were not paying sufficient attention to sustaining fishing stocks.

Speaking during the estimates debate, he told Parliament: "We are not learning as rapidly as we should the extent of the resources."

But, he said, the Government was allowing territorial waters to be "invaded" by 11 American tuna boats.

Inshore fishing was already "over-fished, over-capitalised and over-manned" and the Government should encourage New Zealand fishermen.

Instead its policy was to "open the door for American and other fishermen to come in."

New Zealand boats had caught 70 per cent of the tuna taken in territorial waters last year but were being denied the chance to catch more, he said.

The Minister of Fisheries, Mr Macintyre, said United States boats on charter had been allowed only to fish the often dangerous waters off the west coast of Northland.

"Very large" quantities of tuna had been spotted in those waters last year and two United States boats allowed a trial there had taken big catches.

But New Zealand boats had rejected the opportunity to fish there — "no New Zealand boat would go near them."

The minister said: "There is a resource going to waste. If New Zealanders are not going to touch those waters I have said we would give the United States a go."

New Zealand fishermen had had the opportunity from the start, he said, but had not taken advantage of it.

CSO: 5200/9111

TAIWANESE BOAT FORFEITED FOR FISHING IN NEW ZEALAND ZONE

Wellington THE EVENING POST in English 12 Oct 82 p 17

[Text] AUCKLAND, Oct 11 (PA). — The captain of a Taiwanese fishing boat caught fishing in the New Zealand fishing zone was today fined $10,000 and his vessel and its catch were forfeited to the Crown.

He was also ordered to pay the navy $42,000 in costs, $500 in harbour board costs and $100 solicitor's costs.

Hsing-Chau Hsu, 42, admitted a charge in the Auckland District Court that he was the master of a foreign fishing craft, not being licensed, which was used for fishing in the exclusive economic zone of New Zealand, on October 2.

For the Department of Agriculture and Fisheries, Mr Rodger Haines said Hsu was the commander of the Taiwanese fishing vessel Feng Yuan No 51.

Owned by the Feng Yuan company of Taiwan and operated from Pago Pago, American Samoa, the vessel engaged in long-line fishing.

Judge P M Brown heard that Hsu told the naval boarding party that he was not aware that New Zealand's exclusive economic fishing zone extended to the Kermadec Islands off which he had been fishing, and that he did not realise he needed a New Zealand licence to fish there.

He stated he understood that Koreans fished in that area all the time.

Counsel for Hsu, Mr G B Hubble, said where Hsu had been fishing could be described as a secondary part of the economic zone.

It was an appropriate case for considerable leniency, he said.

Judge Browne convicted Hsu, saying Hsu knew that the economic zone existed and should have checked the extent of that zone.

CSO: 5200/9112

EDITORIAL HITS REAGAN FOR U.S. REVERSAL ON LAW OF SEA PACT

Perth THE WEST AUSTRALIAN in English 6 Oct 82 p 6

[Editorial]

[Text]

REPORTS of renewed congressional pressure on the Reagan administration to work towards a ratification of the law of the sea convention are welcome. American intransigence could upset an international covenant that is one of the most ambitious ever undertaken.

The law of the sea seeks to enforce agreement among nations on (among other things) how the sea's resources should be exploited and shared. It may not be a topic to fascinate the average citizen, but its ramifications will eventually affect everyone.

America's refusal to sign the document — which has been approved by 130 countries, including the Soviet Union — could have unfortunate long-term consequences. Senator Charles Percy, the influential chairman of the U.S. Senate's foreign relations committee, has described the U.S. stand as the country's biggest single failure.

Mr Reagan was responsible for America's refusal to become party to a document with which it had been deeply involved for the eight years in which the treaty was framed. Under President Carter the U.S. was willing to sign when ratification was required. As it stands, the text contains a considerable amount of the Carter administration's contribution, to the point where the country's current dissatisfaction with the treaty becomes almost ironic.

Mr Reagan's main objections are philosophical. He sees proposals for an international mining instrumentality—to be known as "The Enterprise"—as running counter to the spirit of free enterprise. He is also opposed to proposals for a mandatory passing of technological know-how from private mining concerns to "The Enterprise."

His stand goes against the motivating spirit of the convention, which seeks to ensure that the sea's resources are shared. It does not try to prohibit private mining, but enables those nations without the means of exploitation to take a share of the sea's wealth and assist in extracting it. In refusing to sign the U.S. is not only denying under-developed nations the share of its technological expertise and financial support considered necessary for the success of "The Enterprise"; it is also laying the foundation for future conflict over who is entitled to what in respect of ocean resources.

There is some parallel between the Reagan administration's attitude to the law of the sea and its approach to the north-south dialogue on aid to developing countries. The Third World viewpoint — that America is unsympathetic and ultimately uncaring — may well be reflected at the Commonwealth Heads of Government Regional Meeting in Fiji this month, where both the law of the sea and the north-south issue are expected to be discussed. There is unlikely to be outright condemnation of the U.S., but there may be an expression of concern and dissatisfaction at U.S. attitudes. Should that dissatisfaction be allowed to grow, the U.S. may find that its unwillingness to commit itself comes at a high price.

CSO: 5200/7508

MARINE SURVEY TEAMS TO EXPLORE ECONOMIC ZONE

New Delhi PATRIOT in English 29 Oct 82 p 5

[Text]

CALCUTTA, Oct 28 (UNI) — The Geological Survey of India (GSI) has constituted three types of task forces to implement the programme of marine survey and exploration.

According to GSI sources here, each task force will be entrusted with the survey and exploration programme of coastal, exclusive Economic Zone (EEZ) and deep sea.

Headed by a director as chief scientist, each task force would be responsible for carrying out field work, laboratory studies, processing of data and submitting the report of their respective jobs, the sources said.

In addition to the existing laboratory facilities, the GSI had finalised the setting up of two more modern laboratories—one at Mangalore and the other at Visakhapatnam for the analysis of sea-bed materials to be collected during cruises. The equipment would be available under the scheme of acquisition of coastal vessels from the Netherlands.

The sources said the GSI had drawn up a detailed programme for marine survey and exploration for the current field season 1982-83 laying emphasis on the geological features that might localise concentrations of hydrocarbons and to a limited extent phospharic and barium modules with a probable association of radioactive minerals.

The GSI had divided its programme into three oceanic regimes—nearshore shallow waters continental shelf and margin waters, and deep sea waters.

The first regime extending 12 natutical miles was expected to contain concentration of hard and heavy minerals, like ilmenite monavite magnetite, zircon, gold and diamond.

In deep sea ocean floor the mineral resources of consequence were cobalt in addition to iron and manganes, the sources said.

The sources said the known polymetallic area of the central Indian Ocean was about 2,000 km from the southern tip of the country. The Wharton basin was at a similar distance from the Andaman Islands and the Arabian Sea was about 600 km from the west coast.

The GSI had given priority to the EEZ work which would be taken up during the current field season on the east coast between the Hooghly river mouth and Balasore and on the west coast off Cochin and Trivandrum, the sources said.

Meanwhile, the GSI had acquired an ocean-going vessel 'Samudra Manthan' for work in the EEZ and international water. The vessel, now being modernised in England, was expected to be available by November next, the sources added.

CSO: 5200/7003

S&T MINISTER ANNOUNCES PLAN TO EXPLOIT OCEAN WEALTH

Calcutta THE STATESMAN in English 6 Nov 82 p 9

[Text]

NEW DELHI, Nov. 5—The Government announced in the Lok Sabha today a plan to give a "dynamic thrust" for the creation of a self-reliant technological base to exploit ocean wealth.

The ocean policy statement outlining the plan was laid on the table of the House by Mr C. P. N. Singh, Minister of State for Science and Technology and Ocean Development.

It was noted that backed by the U.N. law of the seas, India's frontiers had been extended by two million square km of ocean space. Consequently, India had access to new sources of energy, minerals and food.

The law extended the economic jurisdiction of coastal States to an area ranging from 200 to 350 miles from the coastline. An ocean area equal to nearly two-thirds of the land mass had come under India's jurisdiction, giving India exclusive rights to utilise the resources in the region.

It said that India had been recognised as a "pioneer investor" in ocean mining giving the country "the exclusive right to operate in an area of up to 150,000 square kilometres in the high seas for recovery and processing of polymetallic nodules".

The main thrust of India's ocean policy would be on optimal utilization of living resources like fish and sea-weed, exploitation of non-living resources like hydrocarbons, placer deposits and polymetallic nodules from deep sea, and harnessing of ocean energy from waves and tides.

The policy statement said that India would have to develop appropriate technologies to harness the resources, build a supporting infrastructure and create a self-reliant technological base. To meet the challenge the Department of Ocean Development will act as a focal point and work in conjunction with concerned agencies which will be strengthened.

A centralized date system will be set up by DOD for collection and dissemination of information acquired indigenously and from abroad. The statement said that an important component of the ocean development programme should be the acquisition of technology, and setting up of facilities and services to operate large-sized fishing vessels to harvest fish from deeper waters.

CSO: 5200/7004

BRIEFS

MINISTER ON SEABED MINING--There is no report of nodules in India's exclusive economic zone, Minister of State for Science and Technology, C P N Singh informed the Rajya Sabha on Thursday, reports PTI. The Minister told Mr G C Bhattaccharya in a written reply that an oceanographic research vessel built in the Federal Republic of Germany was likely to arrive in India in May next year. The member had asked the reasons for India not starting sea-bed mining of "nodules" within India's exclusive economic zone in the Indian Ocean when even the existing research ship Gavshani was sufficient for purpose. The Minister told Mr V Gopalasamy that India had been recognised as a pioneer investor for sea-bed mining in the resolution adopted by the U N conference on the law of the sea on 30 April last. After signing the convention on the law of the sea, which would be opened for signature in December this year, India intended to register its claim for a mining area. He said survey work was in progress and the National Institute of Oceanography, Goa, was conducting these surveys as an agency of the Department of Ocean Development. [Text] [New Delhi PATRIOT in English 22 Oct 82 p 5]

CSO: 5200/7002

U.S. STAND ON LAW OF SEA TREATY CRITICIZED

BK111151 Kuala Lumpur International Service in English 0800 GMT 11 Nov 82

[Unattributed commentary]

[Text] The president of the third UN conference on the law of the sea, Mr Tommy Koh of Singapore, stated yesterday that the United States may be taken before the International Court of Justice if it permits the mining of seabed in opposition to the UN Law of the Sea Treaty.

Under President Ronald Reagan, the United States has stated that it will reject the treaty because of certain provisions that will affect deep-sea mining.

The law of the sea proposes that an international seabed authority will be created to oversee the mining of trillion of dollars of cobalt, manganese, copper and nickel found in nodules on the seabed.

The United States feels that in view of its advanced technology, it should literally be given a free hand in the mining of the seabed. The United States had earlier proposed that four American and one French firms be given the status of pioneer companies, which should be allowed to commence operations as soon as possible. But this proposal has ignored the claim of the Japanese and the Russians, who are also fast developing the capacity for deep-sea mining.

Other Third World nations, like India and Brazil, also have the base for the development of such an industry. This unseemingly scramble for the wealth of the seabed has been further complicated by the wishes of the huge number of Third World nations, who feel that they too did have a share of the wealth.

The United States has attempted to maintain its preeminent role by seeking to increase the power of industrialized countries in the council that will make policy for the global government of the seabed. It has also rejected the provision that calls for a sharing of the technology used for seabed mining. As such, the United States is attempting to reach a position where its companies would profit the most from seabed mining operation. This attitude smacks of colonialism and it is a rejection of the concept that the seas are a common heritage of mankind. Such a selfish attitude will certainly not be tolerated and it is only natural for the other nations to seek redress.

Singapore Ambassador Tommy Koh's warning about going to the International Court of Justice to get legal protection was rather mild given the huge stake involved.

The question of international sea borders, territorial and maritime claims, seabed mining and offshore petroleum drilling and the whole host of other issues are at the moment bogged in such confusion that could provoke wars and other conflicts.

The UN Law of the Sea is the most comprehensive sea law ever devised by men. It calls for the creation of a 12-mile territorial limit for maritime nations, a 200-mile exclusive fishing zone for their fishermen, a 350-mile exclusive preserve along the continental shelf for oil and gas rights and a free access by all ships through the various straits.

Many other contentious issues will be resolved by the UN Law of the Sea Treaty. Its importance is illustrated by the fact that other nations have gone ahead and have begun to ratify the treaty, which will definitely become operative and legal soon, with or without the United States.

CSO: 5200/4304

MINISTER SPEAKS ON LAW OF THE SEA

HK060236 Manila BUSINESS DAY in English 5 Nov 82 p 2

[Text] The country attained "immeasurable benefits" under the recently completed convention on the law of the sea, according to Arturo M. Tolentino, minister of state for foreign affairs.

Speaking at yesterday's meeting of the Rotary Club of Manila, Tolentino said the Philippine delegation obtained recognition of the "archipelago principle." The concept was first introduced by Tolentino in 1956 at the United Nations General Assembly.

The archipelago principle, explained Tolentino, assures the country of sovereignty over all the waters around and between her islands, regardless of depth or breadth.

For the Philippines, these waters--known as "archipelagic waters"--measure about 170,200 square nautical miles.

Tolentino, who is a member of the Batasang Pambansa, arrived 2 weeks ago from New York for the final meeting of the conference on the law of the sea and a session in Vienna of the United Nations Commission on International Trade Law.

Zone: In addition to the "archipelago principle," Tolentino said the convention adopted the concept of the 200-mile exclusive economic zone (EEZ). For the country, this means that around the archipleago, there will be an exclusive economic zone of 200 nautical miles wide.

All the living and nonliving resources and below the waters of the zone now belong exclusively to the Philippines, according to Tolentino. He said the country's EEZ is around 395,400 square nautical miles of water, which, he said, is in addition to the historic territorial waters measuring 263,300 square nautical miles.

Tolentino said the 200-mile EEZ is in lieu of claims for territorial seas wider than 12 miles and even extending to 200 miles at the conference.

The new convention on the law of the sea simply called "convention" gives the country sovereign rights over the continental shelf for the exploration and exploitation of natural resources, Tolentino said. This right, he said, is exclusive up to 200 nautical miles from the baselines along the shores.

He added that beyond 200 miles and up to the outer edge of the continental margin, the country will have to share nonliving resources with the international community, from 1 percent to 7 percent of production.

Law: According to Tolentino, it took 12 years to complete the law of the sea. Once it becomes effective, he said, the "convention" will be the universal law of the waters of the earth. It will be the ruling international law that will govern and regulate the rights and duties of all nations in the enjoyment and use of the seas, their waters and resources, and even the air space above them, to a certain extent.

During his speech, Tolentino also discussed the United States' opposition to and its "no" vote on the sea law convention and its possible effect.

He said while the U.S. has not objected to the other provisions of the convention, its opposition was against the portion on deep seabed mining and related matters. This refers to the exploration and exploitation of the resources in the deep seabed outside the limits of the national jurisdiction of states, Tolentino said.

He said this is in line with UN General Assembly resolutions leading to the convening of the conference on the sea law, deep seabed whose resources were declared "the common heritage of mankind." The conference, he said, was mandated, among others, to establish an "equitable international regime," including an international machinery, for the area and its resources.

Rights: Accordingly, Tolentino said, the conference provided in the convention that all rights in the resources of the area are "vested in mankind as a whole," and at the same time, set up an international machinery, called the international seabed authority. The machinery is charged with organizing and controlling activities in the area, with the purpose of administering its resources. One of the principal organs of the machinery is called enterprise, which was formed to carry out activities in the area.

The U.S. objection is anchored on the belief that the convention would not "allow exploration and development under reasonable terms and conditions."

Tolentino cited specific arguments of the U.S.:

--The convention would impose limitations on the production of seabed mining operations;

--It would give substantial competition advantages to the enterprise;

--Private deep seabed miners would be required to transfer technology to the enterprise and to developing countries; and

--Large financial burden would be imposed on industrialized countries whose nationals are engaged in deep seabed mining.

In addition, Tolentino said, the U.S. did not want a one-nation-one vote arrangement in the assembly, another principal organ of the international seabed authority. The U.S. he said, also wanted a guaranteed advantage in the representation and voting procedure in the council, which is the executive organ of the authority.

Goals: As a background, the state minister for foreign affairs said that mining of nonliving resources of the deep seabed area may be undertaken directly by the enterprise or by private investors sponsored by states who helped formulate the sea law convention.

The convention, he said, provides for certain requirements which have to be met by private investors and their sponsoring governments. It was against the requirements that the U.S. may have strongly objected, Tolentino said.

The ultimate objective of the convention, Tolentino pointed out, in regulating private mining activities is to ensure that the financial and other economic benefits derived from mining activities in the deep seabed would be shared equally by all states.

Deep seabeds, according to Tolentino, are said to be rich in so-called polymetallic nodules, which lie at depths of 12,000 to 18,000 feet. The nodules are composed of high-grade metal ores, primarily manganese, copper, cobalt and nickel.

Wealth: According to Tolentino, it has been estimated that there are about 1.5 trillion tons of nodules on the Pacific seabed alone, enough to supply the world markets for thousands of years, while land-based reserves of the metals may be exhausted within decades.

Tolentino said there are plans to harvest the nodules by sweeping the ocean floor with a device that operates like a giant vacuum cleaner.

CSO: 5200/4305

HAVANA LOOKS AT U. S. ACTIVITIES AT SEA CONFERENCE

Havana PRISMA LATINOAMERICANO in Spanish Sep 82 pp 59-60

/Article by Regula Boorstein/

/Text/ In a new act characteristic of the overpowering and unilateral politics which is isolating the United States in the world, Ronald Reagan's government announced a while back that it will not sign the international convention on the Law of the Sea.

The announcement was not a surprise; U.S. intransigence has already hindered the UN Conference on the Law of the Sea, after 9 year of intensive work, from adopting the agreement by consensus, as was its objective.

Nevertheless, the document did get the support of an overwhelming number of the participating nations last 30 April when it was approved by 130 votes for, 4 against and 17 abstentions.

The Third Conference of the Sea, the first in which dozens of countries from the so-called Third World that achieved independence since 1960, worked out in 11 sessions a treaty that includes all parts of the oceans and establishes rules for all its uses.

The negative attitude of the Reagan government in participating in the agreement is one more indication that the ideologues in that administration have prevailed over the few sane and realist elements that still exist in Washington.

On announcing his decision last 9 July, Reagan made known the United States' dissatisfaction with the system which establishes the agreement as to the exploitation of minerals in the seabed outside its national jurisdiction declared in the document (and now since 1970 by the General Assembly of the United Nations) as "the common heritage of mankind."

The American administration seems convinced that the interests of their mining companies in exploiting those riches can be guaranteed through a "minitreaty" with some partners (Great Britain, the German Federal Republic and others) which, moreover, would assure reciprocal mining rights in the international zone of seabeds.

As for other rights established in the agreement, such as those concerning shipping, the passage through straits and others of importance for a maritime power, Washington trusts--according to sources--in superior strength for making valid its claims.

However, among the allies and within the American government itself, doubts do exist as to the suitability of entering into a "minitreaty" and the possibility of enjoying all maritime rights without taking part in the International Agreement on the Law of the Sea.

The displeasure Reagan's decision caused was even reflected in influential news editorials, such as the WASHINGTON POST, the NEW YORK TIMES and in the LONDON TIMES, where the policy of shortsightedness was criticized and condemnation of the international community was bound to be stirred up, particularly among the underdeveloped nations.

American Journalists also expressed fear that the United States could lose its race with its industrial competitors if they stick to the new international system and organize exploitation of deep seabed minerals without that country.

Even the second-in-charge of the U.S. delegation at the Sea Conference, Leigh Ratiner, designated by Reagan and who shares his free marketing ideas, warned in the latest issue of FOREIGN AFFAIRS magazine that not signing the agreement could turn out to be costly for the United States.

The expert, counsel to the American delegation for many years and under several administrations, evidently argued for a different decision in closed discussion.

He warns that a minitreaty signed by some countries as an alternative to the international agreement would be questioned by the international community and would probably be taken to the International Court of Justice, as contrary to the law which would affect the necessary juridical security for financing institutions making large investments that deep sea mining requires.

Ratiner believes that Japan, France, the German Federal Republic and other nations will reach agreements among themselves, but within the spirit of the international convention, leaving their recalcitrant ally abandoned and without secure rights.

He says, moreover, it is a dangerously false assumption that the United States can enjoy the rights guaranteed by the convention--the 200-mile economic zone, jurisdiction over the continental shelf, free commercial and military shipping in the economic zone and through international straits--without the necessity of signing the document.

The policy that brought about the present U.S. isolation in matters of sea rights began with Reagan's arrival in the White House, with the installation of an administration determined to review past positions and to give a fortress-like image in the international arena.

The Sea Conference, wherein the United States had participated in the task of achieving near consensus on a draft agreement, the new government interrupted the 1981 session with the announcement of a complete reexamination of its positions, stating its opposition to concluding negotiations that year.

After delaying the conference for a year, the American delegation got back into the act in 1982, but with a list of demands designed to foul up the laboriously worked out system of sea bed exploitation.

Ratiner himself, the principal U.S. negotiator, admits that the delegation had instructions to convert the treaty into a "frontier mining code" by which the first company to lay out a stake would own the resources without being subject to any regulation or control.

The "77 Group" of underdeveloped countries refused to discuss such fundamental changes in the document already agreed upon and the efforts of a group of minor Western countries--the Nordic countries, Canada, Australia and others--in order to find a formula for agreement were turned down flatly by the United States.

The intransigence shown by Washington ended up displeasing even its firmest allies in defense of the principle of free enterprise. Great Britain and the Federal Republic of Germany, which, together with France, Japan and some other nations interested in seabed mining, saw it more convenient to seek an advantageous arrangement within the agreement itself for the attainment of an internationally recognized system of exploitation.

For the sake of winning the support of those countries and in a last ditch effort to achieve the adoption by consensus, the conference chairman, Tommy T. B. Koh, negotiated several changes in order to satisfy the main aspirations of future miners, including in particular a contract guarantee for exploitation.

Even though Koh, at U.S. insistence, finally had to submit the entire text to a vote, the inclusion of guarantees for existing consortiums can explain why no industrialized nation, aside from the United States, gave a negative vote.

For personal reasons, Israel, Turkey and Venezuela also cast negative votes, while countries with mining interests like Canada, France and Japan, voted affirmatively, and Federal Germany, Belgium, Great Britain, Italy and Holland abstained.

Except for Ronald Reagan, who wanted a document to his own liking, everyone recognizes that the agreement, the result of 93 weeks of complex negotiations between more than 150 nations throughout 9 years, is a collection of provisions on a wide range of problems in which no one will win all his objectives and each one had to make concessions, but whose final balance ought to be respected.

Its 320 articles and nine annexes show the way for U.S. conduct on the oceans of the world through the definition of maritime zones, the establishment of rules for marking boundaries, the debts and obligations of a juridical nature, and the creation of a mechanism for solving controversies.

Among other definitions, it establishes a 12-mile territorial sovereignty, an exclusive economic zone of 200 miles wherein its coastal nations control the resources, jurisdiction over resources on the continental shelf up to 350 miles, and shipping and overflight rights in economic zones and international straits.

Without doubt, the most novel part of the agreement and which caused the most controversy is the one that creates an international rule for exploitation of the deep seabeds in the international zone--wherein some have seen the first step towards a New International Economic Order.

The activities in that zone are carried out under the control of an international authority on marine deptsh which, moreover, will begin its own mining operations through an enterprise created for that purpose.

At the same time, that authority will contract with private and state enterprises for granting mining extraction rights in the zone whose resources will be administered as a "common heritage of mankind." Those are the contracts that will guarantee "first investor" status to existing qualified consortiums.

The participants in the agreement will contribute to financing the authority and its enterprise in accordance with its financing quota for the United Nations, according to a figure based principally on the gross national product of each country.

However, many experts think it is probable that the majority of nations that abstained in the voting will sign the agreement when the time comes in Caracas in December of this year, because only it can assure them the benefits and guarantee rights within the internationally accepted juridical system.

9908
CSO: 5200/2003

CUBA

BRIEFS

INDIAN OCEAN CONFERENCE DELAY CONDEMNED--Cuba has stated at the United Nations that despite the UN resolution to convert the Indian Ocean into a peace zone, military bases in that area had been expanded and strengthened, increasing imperialism's warmongering and military presence there. Appearing before the UN Commission for Political and Security [Affairs] and in direct reference to the U.S. Government, Cuban delegate Pedro Nunez condemned the delaying tactics being used to postpone the Indian Ocean conference. [Text] [FL051535 Havana Domestic Service in Spanish 1200 GMT 5 Nov 82]

CSO: 5200/2005

INTERNATIONAL JURISTS BACK CLAIM TO DIEGO GARCIA

Port Louis ADVANCE in French 21 Sep 82 p 1

[Article: "An International Conference of Jurists Lends Its Support to the Mauritian Government"]

[Text] A three-day international conference of jurists held in New Delhi lent its support to the claims of the government of the island of Mauritius aimed at recovering the island of Deigo Garcia in the Indian Ocean, currently used by the United States as a military base.

Approximately 100 delegates from 34 countries of Asia, Africa, Europe and the United States participated in this conference, co-sponsored by the Indian Association of Jurists and the International Association of Men of the Law, the theme of which was "The Indian Ocean, Peace Zone."

A conference spokesman told the press that the delegates had decided to support the claims of the Mauritian government, considered as likely to contribute to peace in the Indian Ocean.

Friday, in an official message to the conference, the Indian Prime Minister, Mme Indira Gandhi, stated that, if the Indian Ocean became a real peace zone, it would be an example for the world.

9064
CSO: 5200/1

DELEGATION TO ATTEND REGIONAL EEZ TALKS

Port Louis L'EXPRESS in French 23 Sep 82 p 1

[Article: "Exclusive Economic Zones: Regional Seminar in Seychelles on the Surveillance of the 200-Mile Zone"]

[Text] In the framework of the Seychello-Mauritian Corporation, a three-person delegation is currently in Seychelles to participate in a regional seminar having as its theme "'monitoring control' and surveillance in the exclusive economic zone."

The Mauritian delegation is made up of Anil Gayam and A. Venkatasamy from the Ministry of Agriculture, Fishing and Natural Resources and Hussein Nakhuda from the Ministry of Planning and Economic Development.

The conference, which is being held under the auspices of the Food and Agricultural Organization (FAO), began Monday, 20 September, and will end Saturday. During Seychelles' President Albert Rene's visit to Mauritius last July, an economic trade, technical and cultural cooperation agreement was signed between the two countries. During this visit, the discussions between the Mauritian and Seychelles delegations involved the problem of Saya de Malha among other things. It had been decided to study the issue of sovereignty of the banks more closely, and in the meantime, the two countries would take steps necessary to jointly insure the protection and exploitation of the fishing banks making up the two countries' exclusive economic zone. The two countries had also been concerned with the problem of surveilling the two countries' exclusive economic zone.

9064
CSO: 5200/1

MAURITIUS

BRIEFS

ANIL GAYAN TO MEXICO FOR LOS CONVENTION--Anil Gayan, MMM [Mauritian Militant Movement] deputy and specialist in LOS [Laws of the Sea] questions, left yesterday afternoon for Mexico, where he will attend a conference whose objective is to study the prospects likely to get the largest number of countries to sign the Agreement on the Laws of the Sea. Gayan received for this purpose a personal invitation from the Mexican government and the International Ocean Institute. According to Gayan, the conference, which will be presided over by the Mexican Minister of Foreign Affairs, Mr Castaneida, is of great importance for the agreement is in danger and it is necessary to do everything to save it. It has taken many years to prepare this agreement which Gayan considers as being acceptable to everyone. "If the agreement is not signed at Caracas next December, it will be chaos," he declared. It would appear that certain European countries, as well as the United States, reportedly are reluctant to sign the agreement, as it has been drawn up. The MMM deputy points out the agreement protects small countries. In the case of the island of Mauritius, in spite of the fact that it has an economic zone of 200 miles, it is indispensable that the agreement be accepted, for it will give our laws international respect. On his return, Gayan will stop in New York to lobby with some countries to convince them to sign the agreement. Gayan has been an active participant in all the Laws of the Sea Conferences. He was then senior crown counsel at the public prosecutor's office. [Text] [Port Louis LE MAURICIEN in French 26 Oct 82 p 4] 8490

KOREAN CAPTAIN FINED--The captain of a Korean freighter was fined 10,000 rupees by customs officials last Wednesday for not declaring an excess of two-tons of fish in a load of 95 tons, intended for a local company. Under customs regulations, the freighter officials must declare in their "manifest" the total loads that their freighters are carrying at the time they enter the port, even when they are in transit. However, during an inspection on board, customs officials realized that an excess load of approximately two tons of fish and shark fins had not been declared. Later on the captain appeared before the customs collector, who sentenced him to pay a fine of 10,000 rupees. The boat left again two days after having unloaded all its cargo. [Text] [Port Louis THE NATION in French 17 Sep 82 p 1] 9064

CSO: 5200/1

SENEGAL

REVIEW OF NATION'S INDUSTRIAL FISHING INDUSTRY

Paris LE MONDE DIPLOMATIQUE in French No 343, Oct 82 pp 25,27

[Article by Kader Diop]

[Text] Senegal has a lot going for it in its aim of becoming one of the major fishing nations within the next few years: to begin with, it has close to 700 kilometers of coastline along the portion of the Atlantic considered richest in fish, and secondly, a large population of experienced fishermen. Fish may well turn out to be "blue gold" for Senegal, a desert Sahel country with no oil resources.

Senegal has already set its sights on that goal, since, along with peanuts and the tourist trade, deep-sea fishing is one of the major sectors in Senegal's economy, providing one of the prime sources of income for the peasants and revenues for the state. In times of drought and poor peanut crops, like 1980, the fisheries also become the nation's biggest earner of hard currencies, well ahead of peanuts and phosphates, bringing in the equivalent of 35.5 billion CFA francs in exchange for exports of 84,000 tons of fish.

The earnings in hard currency rose in 1981 (37 billion CFA), as did quantities exported (90,000 tons). Overall production, however, declined considerably: 229,317 tons as against 359,230 in 1980. The drop occurred because catches brought home by small traditional fishing operations declined by 50,000 tons, doubtless due to poor weather conditions, and because of the absence of Polish fishing vessels following abrogation of the fishing treaty between Poland and Senegal, which allowed the Polish vessels to operate in Senegal's waters.

Another explanation for the drop in production is the more selective policy adopted by the government in granting fishing licenses since the establishment in 1980 of a Secretariat of State in charge of deep-sea fisheries. The effect of this new policy can be seen in the decline in the numbers of foreign trawlers that used to operate in Senegalese waters, and in the falling output of Senegal's industrial fisheries (80,789 tons in 1981 as against 161,025 tons in 1980).

France Is Biggest Customer

Hence the output of the commercial fisheries could not make up for the losses in small-scale fishing operations, by far the largest sector, and the one that produces some 70 percent of the Senegalese catch. This sector, though, is handicaped by its seasonal nature and by the extremely short range of its dugout fleet, as well as by its inadequate storage facilities. Close to 32,000 fishermen operate in this branch of the industry, and use 5,000 motorized dugouts and 4,000 sailing boats.

Efforts are already under way to modernize the traditional fleet, including equipping the dugouts with motors and nets, and organized marketing of the catch, provision of refrigerated storage facilities and organization of fishing cooperatives; 13,500 fishermen are now members of 31 cooperatives.

As for the industrial fisheries, one of the besetting problems is the venerable age of the Senegalese fleet, which consists of 129 trawlers, 4 tuna boats, and 14 sardine boats. It is dominated by foreigners, particularly in the tuna fishery, where in 1981 a nose-count showed 44 French and 19 Spanish boats. The reason for the rusty state of the Senegalese fleet is that Senegalese fleet operators, chronically short of money, tend to buy second-hand boats that have seen better days.

The consequence of this situation is that maintenance of these boats, which is costly, cuts sharply into the profits of the fleet operator. Nevertheless, the catch of the Senegalese fleet, 43,600 tons, accounts for more than half the total output of the industrial fisheries.

This production, destined to supply local seafood processing plants (31 freezing plants, 3 canneries, and 3 fish- meal factories), is oriented primarily toward the export market. In 1981, 4,617 tons of shellfish, 2,666 tons of mollusks, 60,193 tons of fish, 15,728 tons of canned fish, 7,500 tons of fish-meal, fish oil, and processed fish were exported. Senegal's biggest customers are France (23,863 tons, including 12,693 tons of canned tuna), Ivory Coast (44,360 tons), and Japan (3,353 tons).

The importance of the industrial fishery in Senegal's foreign trade, and also as a source of jobs, justifies the measures the government has taken to encourage it. One move was establishment of a Maritime Credit institution designed to breathe new life into the sector by helping Senegalese businesses to replace their aging fleets and build processing and marketing infrastructures for fishery products. Maritime Credit, which has begun operations, last April approved six projects (four for fleet expansion or upgrading and two for processing plants) which will require a total of 1.450 billion CFA francs.

Senegal, which has claimed boundaries of 150 nautical miles for its territorial waters and 200 nautical miles as its exclusive zone, has altered its policy for granting licences, as much in order to get more profit from exploitation of its fishing resources as to protect and encourage Senegalese fishermen.

As of now, fishing licences have been abolished for foreigners, and will be distributed, following signed agreements, only to countries or groups of countries. Agreements of this kind are in effect with the EEC, Spain, and Ivory Coast, and they stipulate that licences shall be issued for taking specific types of fish, and that the licence fee will depend on the capacity of the ships involved and may be altered on the basis of the proportion of the catch put ashore in Senegal. Validity of fishing licences, which earned Senegal nearly 5 billion CFA francs in foreign currency in 1981, runs for 2 years as compared with a 10-year term for earlier agreements.

The industrial fishery could also see its output increase markedly, and could also catch up with the small-scale fishery, with completion of a joint Senegal-Denmark project -- one of the biggest of its kind in the world -- since it calls for production of 100,000 tons of fish and seafood . It is an integrated project (thus including production, marketing, processing, and preservation of the catch). The project, already in the experimental stages, will take 9 to 10 billion CFA francs in financing, already under negotiation with Denmark, and the first results are promising (228 million CFA francs in receipts in 3 months); it is quite likely that Project Senegal-Seafood will shortly be moving into the completion stages.

The company will be capitalized at 1 billion CFA francs and 51 percent of its shares will be held by Senegalese fleet operators, according to governmental sources. The Senegal-Seafood project will be implemented in four phases, each one with its own production target of 25,000 tons of seafood products. There are plans to market the catch in Africa (80 percent), Europe, and the United States (20 percent), as well as to create 1,000 new jobs and to build an unloading dock and a processing plant at dockside.

Senegal is also looking for inter-African cooperation with a view to coordinating fishery laws so as to protect the fishing grounds in the Central-West Atlantic, the richest in the world, and to prevent overfishing of the African resources.

For Senegal, as for other countries in the area, coastal surveillance still poses problems. It is hard for African countries, already coping with numerous financial difficulties, to protect the resources in their territorial waters against the encroachments of foreign ships.

Even though the production of Senegal's deep-sea fisheries has shown a tendency to level off over the past several years, it is nevertheless certain that this sector -- if all hoped-for investments materialize -- will, over the next 5 years, grow into the biggest one in the entire Senegalese economy. It could then go on to challenge Nigeria for first place among African producers.

6182

CSO: 5200/8

APPEAL TO BE MADE FOR STRICTER FISHING CONTROL

MB241325 Johannesburg Domestic Service in English 1115 GMT 24 Nov 82

[Text] South Africa is to appeal for stricter control over fishing along the west coast at next week's meeting of the International Commission for the Southeast Atlantic Fisheries to be held in the Canary Islands. Announcing this in Windhoek, the leader of the South African delegation, Mr (Piet Kruger), said South Africa would request an extension of the closed fishing zone from 24 to 36 km. The commission would also be requested to introduce an inspection service. Mr (Kruger) said South Africa felt that control measures should be based on a ratio between the quota and capacity of trawlers.

Mr (Kruger), who is secretary of economic affairs in south-west Africa, said the quota restrictions applicable to member countries of the International Commission also applied to the south-west African territorial waters. Problems were encountered in enforcing the restrictions because the territory was not yet independent. South-west Africa's fishing resources were being abused by trawlers from Romania, Bulgaria and Poland. Mr (Kruger) said he had proof that trawlers from these east European countries were catching double their allotted quotas of hake, (masbanker) and mackerel.

CSO: 5200/9

REAGAN REPUDIATION OF LAW OF SEA CONVENTION CRITICIZED

Moscow PRAVDA in Russian 15 Jul 82 p 5

[Article by Vsevolod Ovchinnikov: "From Imperial Positions"]

[Text] President Reagan the other day announced the refusal of his administration to sign the new international convention on the law of the sea, which was passed on 30 April by a conference of the United Nations. (It will be opened for signing in December of this year, and the Soviet Union will be one of the first states which will sign this important document.) As Reagan himself reminded, the United States participated for many years in the drafting of this convention along with representatives of more than 150 countries. But, as the President asserted, now it has suddenly turned out that the section of the convention, which is devoted to the development of the resources of the sea bed, ostensibly "is not in line with the goals of the United States."

The new convention is a code of international law principles and norms of the use of the sea expanses and the development of the resources of the world ocean. It was worked out as a result of many years of efforts and mutual concessions of all the parties to the negotiations and is a balanced "package" of compromise understandings on all the closely interconnected questions of the law of the sea. This painstaking work was carried out with the participation of the three preceding American administrations. And only the fourth, current administration repudiated the understandings which had been reached with its predecessors, and demanded that the already agreed on text be revised.

As is evident, it does not please the current master of the White House that the convention proclaims as its main goal the use of the wealth of the world ocean in the interests of all mankind; that it envisages steps against the monopolization of the resources of the sea bed and the uncontrolled access of private companies to their mining; finally, that the decision-making procedure does not hold out to the United States the dominant role to which it has become accustomed in international monetary and financial organs.

The refusal to sign the new convention on the law of the sea in many ways is reminiscent of the fate of the SALT-2 Treaty. In both instances the long years of searching for a mutually acceptable, balanced compromise were one-sidedly crossed out. In both instances the imperial ways and the attempts to achieve a dominant position and to seize one-sided advantages at the expense of the interests of others are clearly evident. In both instances the stand of the current U.S.

administration and its repudication of the previously reached understandings are at variance with the principle of the conscientious observance of the assumed obligations and the principle of legal continuity in interstate relations. The question arises: Is not the refusal of Washington to sign the convention on the law of the sea a maneuver for the purpose of freeing its hands for the arbitrary seizure of the sea expanses and the resources of the world ocean, which the current administration regards as another "sphere of the vital interests of the United States"?

7807
CSO: 5200/1002

END

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28 December 1982

Worldwide Report

LAW OF THE SEA

No. 215

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WORLDWIDE REPORT

LAW OF THE SEA

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KIRIBATI, JAPAN BREAK OFF TALKS ON NEW FISHING AGREEMENT

Auckland THE NEW ZEALAND HERALD in English 3 Nov 82 p 11

[Text]

Kiribati and Japan have broken off talks on a new agreement under which Japanese fishing craft would be allowed to fish in Kiribati's 200-mile economic zone.

The President of Kiribati, Mr Ieremia Tabai, speaking at the end of a visit to Suva, said talks had broken down at the end of October because of disagreement over fees the Japanese should pay.

A delegation from the Japanese Fishing Association had arrived in Tarawa for negotiations expected to last a week but the breakdown happened on the first day.

Mr Tabai said that under an agreement which expired at the end of October, the Japanese had paid almost $US1 million ($NZ1.4 million) to fish in Kiribati waters but this had not been enough in relation to what they had been catching.

Mr Tabai said that Kiribati had not had a fishing agreement with the South Koreans for two years "because we realised we were being squeezed by them.

"We were getting a very small fee in relation to the size of their catches. I don't see any likelihood of a new agreement with them because we are so far apart on terms.

"In the case of the Taiwanese, they simply do not want to talk. We know they are fishing."

Mr Tabai said Kiribati would send representatives to talks in Honolulu this month at which several South Pacific countries would meet representatives of the United States Tuna Boat Owners' Association to discuss terms under which American fishing boats could fish in Kiribati's waters.

In June Mr Tabai's Government protested to the United States Government that American purse seiners were fishing illegally, not only inside the 200-mile zone but in territorial waters. They were landing helicopters on islands without permission.

Mr Tabai said the reply from the Americans restated their view that the 200-mile zone principle did not apply to tuna.

"My personal view is that because of the strong feelings of the South Pacific Forum countries on the issue, the Americans and their fishing boats should be more relaxed in their attitude."

CSO: 5200/9113

KOREANS FINED FOR FISHING IN NEW ZEALAND WATERS

Wellington THE EVENING POST in English 29 Oct 82 p 16

[Text] A RNZAF ORION used three modern positioning systems to ensure that a Korean boat, the Dong Gin Number NO12, was fishing inside New Zealand's Exclusive Economic Zone, (EEZ) the District Court heard today.

"The three methods could not be in error," Crown prosecutor Mr Jim Larsen said.

Two Korean fishermen, Sil Gun Kim, 37, master, and Chan Il Park, 24, navigator, who yesterday pleaded guilty to fishing in New Zealand waters without a licence, appeared for sentence before Judge H Gilbert today.

Messrs C R Carruthers and T Broadmore appeared for the accused.

Mr Larsen said that on September 30, a RNZAF Orion saw the long-line boat fishing some 154 nautical miles from Raoul Island. It photographed the boat and checked its position, using the three modern systems. The boat was not arrested because it left for American Samoa.

Compass

In explanation, the captain said he used a compass because the electronic equipment on board was old and inoperable. His position was one degree different from that recorded by the Orion, and would have led the master to believe he was 15 miles outside the EEZ.

Mr Larsen emphasised that the obligation was clearly on those responsible for the vessel to avoid breaches of the EEZ act. "The economic stakes are high — the master is liable to a fine of $100,000 and the consequences of the transgression were known," he said.

Mr Larsen asked that the accused meet the expenses of eight witnesses. Counsel, Mr Carruthers, said the four main points he wished to make in mitigation were:

- The boat was in New Zealand waters because of a genuine mistake.
- The accused willingly came to New Zealand to face the charges.
- Three vessels from the same company — Koria Wanyang Fisheries had paid the licence fee and were allowed to fish in New Zealand waters, but did not do so.
- The accused Kim was earning $400 a month and had a wife and child to support. Park was single, earning $260 a month. The trip was not profitable, and the fishermen would receive no bonus from the catch.

"The navigation system used by the Koreans is an internationally accepted one and not all ships have the sophisticated positioning equipment used by the Orion," Mr Carruthers said.

"They cannot understand how they came to be in the EEZ, but they accept the Orion's record of their position. Being buzzed by an Orion is not an everyday occurrence in the lives of fishermen, and quitting the zone after the event was a predictable reaction.

"Neither the men nor the company have had any previous convictions. They had no reason to break New Zealand regulations, because they could have easily been in the EEZ legitimately through payment of a licence fee," Mr Carruthers said.

Judge H Gilbert fined the master, Sil Gun Kim, $7500 and ordered him to pay witnesses' expenses of $1000. The navigator was fined $1250 and ordered to pay witnesses expenses of $500.

"It may be considered strange that the crew member made the error of plotting the course when the Orion overflew the ship," Judge Gilbert said.

"The most important mitigating factor is that the accused came voluntarily to New Zealand and pleaded guilty.

CSO: 5200/9113

BRIEFS

TAIWAN BOAT RELEASED--The Taiwanese fishing boat confiscated for fishing inside New Zealand's economic zone earlier this month has been offered back to its owners for $7500. The Minister of Fisheries, Mr MacIntyre, says the No 51 Feng Yuan will be able to leave Auckland when the fee is paid. The boat's catch of 50 tonnes of fish will also be returned. As agents for the owner, the Wellington-based East Asia Trade Centre Ltd has accepted the offer. Yesterday crew members of the boat, which has been moored at Captain Cook wharf since October 7, thought they might leave Auckland by the end of the week. The $7500 fee will have to be paid on top of the $10,000 fine and costs of $42,600 awarded against the captain of the boat in the Auckland District Court on October 11, when he admitted fishing inside the zone. [Text] [Auckland THE NEW ZEALAND HERALD in English 27 Oct 82 p 3]

CSO: 5200/9113

POLICY STATEMENT ON OCEAN RESOURCES REPORTED

Madras THE HINDU in English 9 Nov 82 p 7

[Text] NEW DELHI, Nov. 8.

A centralised data system is proposed to be set up by the Department of Ocean Development with proper mechanism for collection, collation and dissemination of information acquired both indigenously and from foreign sources on ocean science and technology.

A data base of this kind is considered necessary to coordinate the efforts of different agencies connected with the exploitation and development of marine resources and environment.

A "ocean policy" statement, laid in Parliament recently has set out in detail the basic objectives of ocean development and the directions in which the different agencies will be required to work. The policy is considered significant in the context of the 'pioneer investor' status granted to India under the convention of the U.N. conference on the Law of the Seas. This gives India the exclusive right to operate in an area of 1,50,000 square km in the high seas for the recovery and processing of polymetallic nodules.

The main thrust of the ocean policy will be on the optimal use of living resources like fish and sea weeds, exploitation of non-living resources such as hydrocarbons and heavy placer deposits, harnessing of renewable resource of ocean energy from waves, temperature differences in the water column, tidal heights and salinity gradients and the collection and processing of polymetallic nodules from the deep sea.

Main tasks: The policy statement says that the extension of national frontiers of ocean space and the consequent access to new sources of energy, minerals and food, call for great strides in ocean engineering, specially in tasks related to structures, materials, instrumentation, submersibles and systems of propulsion of ships.

The exploitation of natural food resources such as fish and sea weeds, and the generation of additional food resources by cultivation also need scientific methods of aquaculture and mariculture. To survey and predict the ocean environment, the main tasks necessary among others are mapping, charting, geodesy, ocean dynamics, chemistry and physics of the oceans and seabed mineral mapping. Marine science and technology has to look beyond the current state-of-art to achieve major technological breakthrough in the future.

Besides research and development in basic sciences, the policy envisages survey of the deeper part of the ocean. Detailed survey and sampling in the regions of exclusive economic zone and the adjacent ocean will be necessary to locate and evaluate the rich and economically viable deposits of polymetallic nodules, heavy metals, fossil placers and phosphorite deposits. The gathering of data from surveys should be coordinated and a cost-effective system of integrated surveys estimated.

Indigenous technology: The policy stresses the need for the development of indigenous technology for the exploitation of fish from deeper waters. This means setting up of infrastructure facilities and services to operate large-sized fishing vessels.

An important component of the development programme will be the acquisition of technology. To be self reliant the policy envisages such technologies to be largely developed, tested and operated indigenously. Technologies relating to instrumentation, diving systems, position fixing and position maintenance, materials development, oceanic data collecting devices, anti-erosion capabilities, submersibles, energy and energy-saving devices are priority items. Several new technologies will have to be commercialised and made cost-effective.

The policy also envisages augmentation of infrastructural support particularly basic facilities like safety and rescue at sea, navigational chains, communication net-works, development of appropriate maps and charts, etc.

CSO: 5200/7005

BRIEFS

EQUITABLE RIGHTS--At the United Nations, Pakistan has called for equitable use of international waters by all riparian states. Speaking on a debate on the report of international law commission in the General Assembly's legal committee, Pakistani delegate Asma Anisa said the exercise of rights by a riparian in its territory should not damage the other. The violation of the rights of a riparian should be adequately compensated. They should be bound legally to settle their disputes peacefully. The Pakistani delegate underscored the need for codification of the law which was of special significance to Pakistan. She regretted that the international law commission had not made any headway in that direction. [Text] [BK221419 Karachi Domestic Service in English 1005 GMT 22 Nov 82]

CSO: 5200/4306

BRIEFS

SEA LAW SIGNING WELCOMED--Colombo, 10 Dec (AFP)--President Junius Jayewardene has hailed the law of the sea treaty being signed in Jamaica today as the dawn of a new era of unprecedented international cooperation. He said the treaty was of particular significance to Sri Lanka. The country's territory is now nearly 20 times its land area and 300,000 square miles have been added to its land and seabed areas, giving Sri Lanka control of an off-shore territory 20 times as big as the country's total land area. President Jayewardene said international recognition of Sri Lanka's special claim to its adjacent seabed territory was a significant achievement for the country's foreign policy. Sri Lanks has a special interest in the sea law treaty, as the first chairman of the United Nations Conference on the law of the sea (UNCLOS) was Sri Lanka's ambassador to the UN, the late Hamilton Shirley Amerasing. [Text] [BK101255 Hong Kong AFP in English 1221 GMT 10 Dec 82]

CSO: 5200/4307

GOVERNMENT WANTS ROCKEFELLER GROUP TO LOBBY U.S. ON LOS TREATY

Bridgetown ADVOCATE-NEWS in English 6 Nov 82 p 3

[Text]

KINGSTON, Jamaica, Friday, (CANA) — Jamaica apparently wants American corporate leaders who sit on a committee that promotes the island as investment centre to lobby the Reagan Administration to drop its opposition to the law of the Sea Convention.

The U.S. committee on Jamaica, set up last year by President Reagan, is headed by the influential David Rockefeller, former chairman of Chase Manhattan Bank, who includes a number of chief executives of some of America's largest companies.

It met here this week reviewing its performance over the past year and making plans for the future.

According to a brief end of meeting report, among the suggested areas that a local counterpart group urged that it focussed on in the coming year was "support for the Law of the Sea in its recognition of its importance to Jamaica."

The Law of the Sea is to regulate the resources of the deep seabed through the United Nations system, and the International Seabed Authority (ISA) which will be the functional arm, is to be situated here.

Jamaica sees the establishment of the ISA headquarters here as an opportunity for advancing economic activity.

However, the Reagan Administration is opposed to the treaty in its present form, and said it will not sign it during a ratification session to take place in the Jamaican city of Montego Bay.

The main U.S. grouse is that the U.N. system and a supranational company, to be known as the enterprise, will have too much control in allocating the use of the resources, to the department of private enterprise exploitation and giant American companies who have already invested in deep sea technology.

The Americans are also against the profit and technology sharing arrangements built in the treaty to assist the Third World.

In its opposition to the Law of the Sea, the United States has been attempting to lobby Western allies to band together for a so-called "mini treaty."

However, Third World Countries have warned that such an arrangement would be illegal and that they would fight it in the international courts.

The following are other areas that the Jamaican counterpart group has asked that the U.S. committee to direct activities to during 1983:

— Support for CBI,

— Address the concerns of the banking community with regard to credit flows to Jamaica,

— Encourage other countries to invest in Jamaica,

— Increased emphasis on investment in agri-business,

— Finalisation of arrangements for USDA inspection and fumigation services in Jamaica.

— Increase technical flows through joint ventures and-or technical assistance.

CSO: 5200/7509

BRIEFS

SENEGALESE-GAMBIAN FISHING AGREEMENT--Robert Sagna, secretary of state for maritime fishing, and his Gambian counterpart Omar Jallow, minister of natural and water resources, will sign this morning, at the Ministry of Foreign Affairs, a draft agreement on maritime fishing. This draft agreement, already negotiated between our countries, is one of the first concrete results of the recent official and working visit to Senegal by the vice president of Gambia, Bakary Darbo, at the invitation of Prime Minister Habib Thiam. [Text] [Dakar LE SOLEIL in French 9-10 Oct 82 p 1] 8796

CSO: 5200/4

NEW ERA SAID TO BE POSSIBLY STARTING FOR FISHING INDUSTRY

Dakar LE SOLEIL in French 16-17 Oct 82 p 3

[Article by Cherif Elvalide Seye]

[Excerpt] For the Senegalese fishing industry, this may be the beginning of a new era. The launching of Senegal Seafood, an integrated industrial fishing project, represents a turning point which is going to change the basic elements of the fishing industry. With an average output of nearly 400,000 tons in recent years, the fishing industry has certainly yielded very satisfactory results. Particularly in 1980 the industry was the nation's major source of foreign reserves, ahead of peanuts and phosphates, earning 35.5 billion CFA francs.

But considering its potential, with more than 700 kms of coast on the Atlantic these results are still modest. This is because even 20 years after independence Senegal only controls one sector of the fishing industry, fishing on the style of a cottage industry which still provides 70 percent of the entire output. But this type of fishing has reached its ceiling. The development drive to equip canoes with engines is almost completed. Besides, the infrastructures on land do not allow for higher production than the present one.

Therefore it has become imperative to tackle industrial fishing, a difficult sector controlled by foreigners and requiring large amounts of money. The Senegalese fleet consists of 128 trawlers, 4 tuna boats and 14 sardine boats compared to 44 French tuna boats and 19 Spanish sardine boats.

Now it has been decided to better utilize that sector. Two lines of action will be followed to achieve that end. The first move hinges on maritime credit. That credit will remedy the lack of financial means of the Senegalese people. In this connection, Senegalese citizens have received nearly 1.5 billion CFA francs in loans. The second move is the Senegalese-Danish integrated project. This joint venture company is one of the major fishing projects in the world. In its final phase it will produce 100,000 tons after four successive phases of 25,000 tons each.

The company has a capital of 1.5 billion [CFA francs], Senegalese investors, the state through SOFISEDIT [Senegalese Financial Company for the Development of Industry and Tourism] and the BNDS [Senegal National Development Bank], the

Fund for the Industrialization of Developing Countries and the IDA [International Development Association]--a subsidiary of the World Bank--have interest shares of 15 percent each. The shares held by the latter and by the SOFIDESIT will eventually be ceded back to Senegalese investors. The Danish partners are the companies Lauritsen and Faromar.

Projected investments amount to 4.385 billion CFA francs. Financing will come from the capital loans granted by the international company to the tune of 1,200 billion, by the Fund for the Industrialization of Developing Countries (IFU [expansion unknown]) with 850 million, by the SOFISEDIT and the BNDS with 350 million each and by the SGBS [General Banking Company of Senegal] with 135 million. Initially the project will generate 275 new jobs and will have a turnover of 5.752 billion [CFA francs].

Viability

An experimental phase, which started last January, has shown that the project is viable. It confirmed the existence of large stocks of fish off the coast of Senegal and Mauritania and the possibility of making large catches all year round without endangering the reproduction and growth of the species. But this potential can only be developed under certain conditions. The experimental phase has established the need to have modern vessels equipped with the latest technology to be able to fish all year round. Land infrastructures are also required to deal with the processing, handling, transportation, delivery and marketing. This requires that a reliable freezing plant be available.

Another equally important point made during the experimental phase is the existence of an important market. All West Africa could be targeted. Liberia, the Ivory Coast, Togo, Benin, Nigeria, Cameroon are all countries which import fish. Right now these countries are supplied mainly by Soviet vessels. The experimental phase proved that we could sell at competitive prices. Besides membership to the same economic community--the ECOWAS--and the possibility of cross participation by the marketing bodies of these countries would make Senegalese goods even more desirable. The government is actually trying to negotiate agreements on that basis with these countries.

The big innovation in this project can be found in the sphere of marketing. Until now the Senegalese fishing companies had limited their activities to catching, packaging and selling their fish right in Dakar. With this method of selling FOB in Dakar, these companies had to pay all the overhead expenses and were left with a small profit margin.

Foreign companies, buying FOB in Dakar and reselling CIF in Europe, are pocketing the lion's share and have almost no expenses. For instance, 1 kilo of shrimps sold FOB in Dakar for 1,500 francs brings in for these companies as much as 5,000 or 6,000 francs when sold CIF in Europe. That is where the real profit is. This is why the project includes selling CIF although the initial plan was to sell FOB in Dakar.

8796
CSO: 5200/4

DISPUTE OVER QUOTAS BETWEEN DENMARK, EC HEATS UP

Copenhagen AKTUELT in Danish 1 Nov 82 p 4

[Article by Lennart Weber]

[Text] "I am the victim of some vicious political slander," Foreign Minister Uffe Ellemann-Jensen said yesterday evening after returning from Finland.

On Tuesday Ellemann-Jensen will consult with the EC Committee of parliament. The minister is expected to be in for harsh criticism in connection with the notorious report prepared by experts at the Foreign Ministry.

"It is a report that describes in a detached, legal fashion the situation that will arise if there is no joint fishing policy," Uffe Ellemann-Jensen said. "It is my duty to present this report to parliament so that the members of parliament will have some basis on which to make their decisions."

"It is totally naive, as I have seen several politicians do, to maintain that I have played into the hands of the other EC countries. Any EC lawyer could have written the report my officials prepared. The other countries know quite well which articles of the EC treaty and which legal decisions are applicable in the absence of a common fishing policy.

"I Will Not Hide"

"I also could have been reproached if I had not presented this report to the EC Committee."

"I will not try to shirk my responsibility and I will not try to hide behind my officials."

Ellemann-Jensen was asked whether or not report expressed the policies of the government.

"It describes a legal situation and being for or against it would be like being for or against two plus two being four."

"The government will take the report into account, but it does not necessarily express the opinion of the government."

Confused Policy

"The foreign minister's statements show how confused the government's policies are in the area of fishing," Social Democrat Ivar Norgaard said.

"The foreign minister contradicts himself when, on the one hand, he tries to present the report as something objective, which is just as certain as two plus two equals four, and he says, on the other hand, that it does not necessarily express the government's point of view."

"National regulations limiting quantities of fish that may be caught must be approved by the EC Commission. There is reason to believe that the commission will continue to approve national regulations that coincide with the commission's recommendations, according to the contraversial report Foreign Minister Uffe Ellemann-Jensen (Liberal Party) sent to the EC Committee of parliament. In summary, the report stresses that the situation for Danish fishing will become especially serious if no agreement is reached with the other EC countries.

The report, which is a "summary of certain legal aspects" of the fishing situation was written by the Foreign Trade Department of the Foreign Ministry. It has been sent to the members of the EC Committee with an accompanying letter from Ellemann-Jensen: "The following report is submitted to inform the members of certain legal consequences that will arise if no joint fishing policy for 1982 is approved."

"This report was written for use by members of the Fisheries Ministry's advisory committee on EC fishing policies."

The letter was signed by Uffe Ellemann-Jensen.

Concerning Danish fishing in the waters of other member nations, it is stated that it must be assumed that the various coastal nations will gain the commission's approval for nondiscriminatory national provisions making it possible to prevent fishing in the waters of the coastal nations by fishermen from countries that already have reached the quotas suggested by the commission. If, for example, Denmark had exceeded the commission's suggested quota for herring in the North Sea, then other member nations could stop Danish fishing in their fishing territories.

Concerning Danish fishing in Danish waters, the report states that, "The legal situation depends on whether or not roll-over arrangements have been made." This means that Denmark will be required to limit its catch to guarantee that the quotas are observed. "Exceeding the quotas proposed for Denmark could be seen by the commission as being in violation of the treaty . . . "

The report also states that, "It is improbable that the tribunal will reverse the decision on the distribution of quotas that is at the basis of the commission's proposal . . . "

"If no roll-over arrangement is made, fishing must be seen as 'free,' with the significant stipulation that the member nations under all circumstances must do everything necessary to preserve fish populations . . . "

The report makes clear that Danish fishermen have little chance of fishing in the controversial region around the Shetland Islands. It is stated that fishing in this region may require a license and that it will be difficult for Denmark to claim the right to fish in this region.

"In general, it may be said that Denmark will have to present an exceptionally strong case if the commission, supported by most or perhaps all the other member nations, claims that this region fulfils the conditions (for national provisions and, thus, for excluding Danish fishermen--ed.)."

"If the commission approves a unilateral British arrangement, Denmark would turn to the EC tribunal to overturn such an arrangement." Legal proceedings before the EC Tribunal normally take 1 or 2 years. During this period, charges could be brought against Danish fishermen before the EC Tribunal, however, according to the report.

9336
CSO: 5200/2504

PAPER URGES PARTIES TO COMPROMISE IN EC, DANISH FEUD

Copenhagen BERLINGSKE TIDENDE in Danish 4 Nov 82 p 10

[Editorial]

[Text] The strange majority in the EC Committee that does not want to see, hear, or know about the foreign minister's note indicates that Karl Hjortnaes will watch over Denmark's fishing policy forever. While in the government, the Social Democrats had so many misgivings about his narrow-minded collision course that the change in government came as a liberation for them on this point. But the vendetta the Social Democrats, led by former Economy Minister Ivar Norgaard, have directed toward Foreign Minister Ellemann-Jensen because of his note could indicate that the party in opposition is preparing for an EC policy in the style of Hjortnaes.

If the purpose is to block a compromise on a joint EC fishing policy, accusing the foreign minister of weakening the Danish position in the final minutes of the negotiations is a strange way of going about it. In fact, he would have neglected his duty if he had not informed the EC Committee of the legal situation facing Danish fishing if the EC is without a fishing policy at the beginning of the new year. Examining the foreseeable consequences of a decision is part of the groundwork in the decision-making process. An appraisal of the legal consequences can reveal nothing to outsiders. Instead of shying away from this report as if it were leprous, it could be expected that the EC Committee would have pressed the foreign minister to present more papers on the economic consequences of the various scenarios and the political consequences in other areas of the EC if Denmark were to shoot down the joint fishing policy. There has been too little rather than too much said about the basis on which the government will make a final decision after all these years of negotiations on a permanent policy to replace the temporary arrangements.

In any case, the public has been given the impression that it is the strong interest groups of the fishing industry that have determined Danish policies in recent years. Obviously, the industry must be allowed to offer advice at all times, but it is the main advisor and nothing more. It is the treaty obligation of the Danish government and it is in the government's political interest to work toward a joint fishing policy, but it never can present a compromise that would be acceptable to the organizations of the fishing industry because they are fundamentally opposed to a fishing policy. They want fishing to be totally free, with regulations only for endangered species. There is a conflict between the country's political interest in producing a joint fishing policy and the industry's interest in preventing one. It is the task of the government to show the EC Committee what effect 10,000 tons of mackerel will have on the balance between these two interests.

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CSO: 5200/2504

AGREEMENT BETWEEN DENMARK, FRG AVERTS GREENLAND COD WAR

Copenhagen BERLINGSKE TIDENDE in Danish 4 Nov 82 p 1

[Article by Michael Ehrenreich]

[Text] The danger of a cod war with the West Germans in the waters off the western coast of Greenland has been averted by an agreement between Foreign Minister Uffe Ellemann-Jensen and his West German counterpart Hans-Dietrich Genscher and the West German Agriculture Minister Josef Ertl. The agreement is seen as satisfactory by Greenland.

The basis of the agreement is that the temporary arrangement between the two countries will be extended through the remainder of this year. According to the arrangement, the West Germans have the right to fish 5,000 tons of cod by 1 November. In return, the West Germans have accepted a quota of 62,000 tons for the total cod catch off western Greenland this year. The EC Commission originally proposed a quota of 75,000 tons.

Since the negotiations began last September, Denmark has stressed on Greenland's behalf that the quota should be as low as 62,000 tons in order to maintain the population.

"Since the first agreement was reached in mid-September the West Germans have caught only 1,000 tons of cod off the western coast of Greenland. Now they may continue fishing the remainder of the year, but only within the framework of the first agreement involving 5,000 tons," Foreign Minister Uffe Elleman-Jensen said.

The new agreement was favorably received by the chairman of the National Administration of Greenland, Jonathan Motzfeldt. The agreement has been approved by both the Danish and the West German governments.

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FOREIGN MINISTER BACKS PROPOSAL TO GET ZONE LIMITS WIDENED

Reykjavik MORGUNBLADID in Icelandic 19 Nov 82 p 18

> [Text] Petur Sigurdsson (IP) spoke yesterday in favor of a bill which he is proposing along with Eyjolfur Konrad Jonsson (IP), concerning the seabed rights exercised by Iceland over the Reykjanes ridge area. The bill would enable the government to take immediate steps to ensure the unequivocal rights to the seabed on the Reykjanes ridge and its adjacent cliffs, which Iceland claims according to Article 76 of the United Nations Law of the Sea.

Petur Sigurdsson (IP) said, among other things, that the extension of our fishing jurisdiction to 4 nautical miles, then to 12, then 50 and finally in one great leap in 1976 to 200 nautical miles, has been very fortuitous for us as a small nation struggling for our welfare and economic independence. The Jan Mayen agreement, the proposal for a parliamentary decision recently presented by Eyjolfur Konrad Jonsson concerning Icelandic rights to the Rockall area, and now this bill on ocean bed rights on the Reykjanes ridge, are continuations of these steps forward in the law of the sea field.

Sigurdsson said that the United Nations Law of the Sea agreements grants rights to the Icelanders over the seabed on the Reykjanes ridge and any possible natural resources there, as far as 350 miles out from the specified measuring point; but that right needs to be pursued, according to the stipulations of the agreement, by a pooling of resources and litigation preparations. These rights extend to all conceivable natural resources which can be found in the sediments of the ocean bed, as well as living things which do not move without touching the bottom. This means that the geothermal heat generated on the Reykjanes ridge belongs to Iceland, as well as possible mineral ores which might appear in the case of undersea rifts or folding caused by extreme temperature. These rights of jurisdiction also affect the management of fisheries at the sea floor level, and one hardly needs to be reminded of the irresponsible depletion on the part of the Russians in the ocean perch shoals on the Reykjanes ridge.

Foreign Minister Olafur Johannesson said that Iceland should make a case for these rights, according to Article 76 of the Law of the Sea agreement, both on the Rockall shelf (as described in Eyjolfur Konrad Jonsson's bill) and on the Reykjanes ridge. He explained that nations with coastlines ought to present their legally-supported claims to those rights involved here to the international committee within ten years of the effective date of the Law of the Sea agreement. The minister added that the parliamentary committee working on this issue had consulted with U.N. ambassador Hans G. Andersen, whose speaking up on Iceland's behalf when the appropriate article of the agreement had been drawn up had much to do with our progress in this matter.

Eyjolfur Konrad Jonsson (IP) referred to Gudmundur Palmason, who has been one of a number of scholars to study this matter from a geological standpoint. Palmason is of the unequivocal opinion that the Reykjanes ridge is a part of Iceland's land mass, a natural extension of the country. He said that the Soviets, in the negotiations on this matter, had come to the understanding that the rights should extend to 150 miles from the 200-mile limits (that is, to 350 miles); and the ambassador's statements on the matter, referred to by the minister, had been based on the same understanding. Jonsson was, therefore, gratified that the parliamentary committee had consulted Hans G. Andersen about the matter, and he emphasized the importance of preserving Icelandic resources in this arena.

Petur Sigurdsson was grateful for the good reception accorded the proposal. He said that "a switch in time saves nine" and that we must prepare this matter well and carefully.

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